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MANUAL

OF THE

SENATE AND HOUSE OF DELEGATES

OF VIRGINIA

SESSION - 1893-94.

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PRESENTED BY

MAJOR JOHN L. HUNT

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MANUAL

OF

THE SENATE

AND

HOUSE OF DELEGATES

OF

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SESSION 1893-4.

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STATE OFFICERS.

CHARLES T. O'FERRALL, Governor—Office, Capitol building.

ROBERT C. KENT, Lieutenant-Governor and President of the Senate.

R. TAYLOR SCOTT, Attorney-General—Office, Rooms 29 and 31 (second floor), Chamber of Commerce building.

JOSEPH T. LAWLESS, Secretary of the Commonwealth—Office, Capitol building.

MORTON MARYE, Auditor of Public Accounts—Office, Capitol building.

JOSIAH RYLAND, JR., Second Auditor—Office, Capitol building.

A. W. HARMAN, Treasurer—Office, Capitol building.

JOHN E. MASSEY, Superintendent of Public Instruction—Office, 408 north Twelfth street.

W. R. GAINES, Register of Land Office—Office, Capitol building.

CHARLES J. ANDERSON, Acting Adjutant-General—Office, corner Ninth and Franklin streets.

THOMAS WHITEHEAD, Commissioner of Agriculture—Office, 1307 east Main street.

JAMES C. HILL, Railroad Commissioner—Office, Reugers' building.

J. H. O'BANNON, Superintendent of Public Printing—Office, Reuger's building.

B. W. LYNN, Superintendent of Penitentiary—Office at Penitentiary.

VIRGINIA STATE DOCUMENT
Public Documents

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THE SENATE.

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SENATORS, DISTRICTS, AND POSTOFFICES.

NAMES.	No. of District.	COUNTIES.	POSTOFFICE.
Arthur, James L.....	22	Bedford	Leesville, Campbell.
Barnes, Manly H.....	38	Elizabeth City, Warwick, York, James City, Charles City, *New Kent*, and King William.....	New Kent C. H.
Barnes, Thomas H...	32	Southampton, Isle of Wight, and *Nansemond*.....	Elwood, Nansemond.
Berry, Taylor,.....	19	*Amherst* and Nelson.....	Amherst C. H.
Buchanan, B. F.....	1	Washington and *Smyth*.....	Marion, Smyth.
Echols, Edward.....	9	Augusta and city of *Staunton*.....	Staunton.
Fairfax, Henry.....	11	Fauquier and *Loudoun*.....	Aldie, Loudoun.
Flood, H. D.....	18	Buckingham, Fluvanna, and *Appomattox*.....	Appomattox C. H.
Green, J. C.....	5	Pulaski, *Wythe*, Bland, and Giles..	Wytheville.
Harnsberger, T. K...	8	Rockingham	Elkton, Rockingham.
Harrison, Thos. W...	12	Clarke, *Frederick*, and Warren.....	Winchester.
Hatcher, Benj. N.....	26	Franklin.....	Hale's Ford, Franklin.
Hay, James	15	Culpeper, Rappahannock, *Madison*, and Orange.....	Madison C. H.

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NAMES.	No. of District.	COUNTIES.	POSTOFFICE.
Herbert, Arthur E....	31	Norfolk City and *Princess Anne*...	Princess Anne C. H.
Hurt, John L.....	24	Pittsylvania.....	Hurt's Store, Pittsylvania.
Jackson, George W..	27	Greenesville, *Sussex*, Surry, and Prince George.....	Yale, Sussex.
Jennings, Lewis T....	6	*Carroll*, Grayson, and Floyd.....	Cook, Carroll county.
Jones, Charles P.....	7	Rockbridge, Botetourt, Alleghany, Bath, and *Highland*.....	Monterey, Highland.
Jordan, W. I.....	21	Halifax.....	South Boston.
Le Cato, George W...	37	*Accomac* and Northampton.....	Wachapreague, Accomac.
Little, Jr., Wm. A....	13	Spotsylvania, Stafford, Louisa, and *Fredericksburg*.....	Fredericksburg.
Lovenstein, William.	35	*Richmond City* and Henrico.....	Richmond City.
Maynard, Henry L...	33	*Portsmouth* and Norfolk County...	Portsmouth.
McIlwaine, Wm. B...	29	*Petersburg* and Dinwiddie.....	Petersburg.
Miller, Richard L.....	20	Campbell and city of *Lynchburg*..	Lynchburg.
Morris, George W.....	17	Albemarle, city of *Charlottesville*, and Greene.....	Charlottesville.
Mushbach, Geo. A.....	14	*Alexandria*, Fairfax, and Prince William	Alexandria.
Parrish, F. M.....	16	Powhatan, *Goochland*, and Chesterfield	Hadensville, Goochland.
Sands, Conway R.....	35	Richmond City and *Henrico*.....	Richmond City.

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Southall, Joseph W...	30	*Amelia*, Cumberland, and Prince Edward.....	Jetersville, Amelia.
St. Clair, Alexander..	3	Russell, Buchanan, Dickenson, and *Tazewell*.....	Blue Stone, Tazewell county.
Stubbs, James N.....	39	King & Queen, Middlesex, *Gloucester*, Essex, and Mathews.....	Wood's X-Roads, Gloucester.
Tredway, James L....	23	*Pittsylvania*, Danville, and Henry.	Chatham, Pittsylvania.
Walton, M. L.....	10	*Shenandoah* and Page.....	Woodstock, Shenandoah.
Washington, Robt. J.	38	King George, Richmond, *Westmoreland*, Northumberland, and Lancaster.....	Oak Grove, Westmoreland.
Watts, J. Allen.....	4	Montgomery, *Roanoke*, and Craig.	Roanoke City.
Watson, Walter A.....	28	Lunenburg, *Nottoway*, and Brunswick.....	Jenning's Ordinary, Nottoway.
Wells, T. G.....	2	Scott, Lee, and *Wise*.....	Wise C. H.
Wickham, Henry T..	34	*Hanover* and Caroline.....	Richmond City.
Williams, Thos. N....	25	Charlotte and *Mecklenburg*.....	Clarksville, Mecklenburg.

OFFICERS, Etc.

NAME.	OFFICE.	POSTOFFICE.	COUNTY.
Robert C. Kent	President	Wytheville	Wythe.
John L. Hurt	President, *pro tem.*	Hurt's Store	Pittsylvania.
J. D. Pendleton	Clerk	Gordonsville	Orange.
Z. T. Weaver	Sergeant-at-Arms	White Gate	Giles.
L. J. Gunter	Doorkeeper	Accomac C. H	Accomac.
William Wilson	Janitor	Richmond city	Henrico.
S. L. Bloomberg	First Asststant Clerk	Richmond city	Henrico.
Arthur Sheetz	Second Assistant Clerk	Leesburg	Loudoun.
Hudson Martin	Committee Clerk	Faber's Mill	Nelson.
S. F. Miller	Committee Clerk	Mathews C. H	Mathews.
H. Hunter Watson	Committee Clerk	Jenning's Ordinary	Nottoway.
D. M. Beam	Committee Clerk	Timberville	Rockingham.
W. W. Ward	Committee Clerk	South Boston	Halifax.
E. Guy Hopkins	Page	Fredericksburg	Spotsylvania.
Clarence A. Jeffries	Page	Chase City	Mecklenburg.
John B. Pieratt	Page	Bristol	Washington.
Richard H. Miller	Page	Luray	Page.

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SENATE STANDING COMMITTEES.

PRIVILEGES AND ELECTIONS.

Messrs. Little, Jones, Arthur, Flood, Harnsberger, Fairfax, Washington, Watson, and Jackson.

Clerk—W. W. Ward.

COURTS OF JUSTICE.

Messrs. Jones, Little, Sands, Flood, Walton, Mushbach, Hay, McIlwaine, Tredway, Buchanan, and Morris.

Clerk—H. Hunter Watson.

GENERAL LAWS.

Messrs. Stubbs, Berry, Harrison, Echols, Sands, Washington, Wells, Mushbach, Williams, Watts, and M. H. Barnes.

Clerk—S. F. Miller.

ROADS AND INTERNAL NAVIGATION.

Messrs. T. H. Barnes, Lovenstein, Echols, Wickham, Jordan, Harrison, Berry, Mushbach, Hay, McIlwaine, Maynard, Tredway, and St. Clair.

Clerk—Hudson Martin.

FINANCE AND BANKS.

Messrs. Berry, Lovenstein. T. H. Barnes, Arthur, Wickham, Jordan, Jones, Fairfax, Walton, Harnsberger, Harrison, Green, and Parrish.

Clerk—D. M. Beam.

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PUBLIC INSTITUTIONS AND EDUCATION.

Messrs. Lovenstein, Stubbs, Echols, Green, Southall, Watson, Watts, Morris, Miller, M. H. Barnes, Buchanan, Herbert, and LeCato.
Clerk—Hudson Martin.

COUNTY, CITY, AND TOWN ORGANIZATIONS.

Messrs. Harrison, Sands, Hatcher, Wells, Southall, Williams, Herbert, Maynard, Miller, and Jennings.
Clerk—H. Hunter Watson.

AGRICULTURE, MINING, AND MANUFACTURING.

Messrs. Arthur, Jordan, Parrish, Watson, Hatcher, Southall, Fairfax, St. Clair, LeCato, and Jackson.
Clerk—W. W. Ward.

FISH AND GAME.

Messrs. Washington, Little, T. H. Barnes, Stubbs, Flood, Harnsberger, Tredway, LeCato, Herbert, and Miller.
Clerk—S. F. Miller.

ENROLLED BILLS.

Messrs. Watson, Wells, Buchanan, M. H. Barnes, Herbert, St. Clair, LeCato, Miller, and Jennings.

TO EXAMINE OFFICE OF CLERK OF SENATE.

Messrs. Green, Wells, and Morris.

RULES.

President of the Senate, President *pro tempore*, and Chairman of Committee of Privileges and Elections.

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EXECUTIVE EXPENDITURES.

Messrs. Walton, Wickham, and St. Clair.

LIBRARY.

Messrs. Sands, Stubbs, and Watson.

TO EXAMINE OFFICE OF AUDITOR OF PUBLIC ACCOUNTS.

Messrs. Watts, Washington, and Maynard.

TO EXAMINE SECOND AUDITOR'S OFFICE.

Messrs. Mushbach, Parrish, and McIlwaine.

TO EXAMINE OFFICE OF REGISTER OF THE LAND OFFICE.

Messrs. Hatcher, Miller, and Jennings.

TO EXAMINE THE TREASURER'S OFFICE.

Messrs. Fairfax, Green, and Buchanan.

TO EXAMINE BONDS OF PUBLIC OFFICERS.

Messrs. Echols, Harnsberger, and LeCato.

ON PUBLIC PRINTING.

Messrs. Hay, Flood, and Jackson.

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RULES OF THE SENATE.

I.

ATTENDANCE AND ADJOURNMENT.

1. No member shall absent himself from the service of the Senate without leave, unless he is sick or unable to attend.

2. A majority of senators shall be necessary to proceed to business; five may adjourn, and nine may order a call of the Senate, send for absentees, and make any order for their censure or discharge. On a call of the Senate, the doors shall not be closed against any senator until his name shall have been once enrolled.

3. When the Senate adjourns each day, every senator shall keep his seat until the President leaves his seat.

II.

THE PRESIDENT.

4. If any question be put upon a bill or resolution, the President shall state the same without argument.

5. The President may call any senator to the chair, who shall exercise its functions for the time; but no senator, by virtue of such appointment, shall preside for a longer period than three days.

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6. At the commencement of each session the Senate shall elect four pages, who shall receive for their services two dollars per day each.

III.

THE CLERK.

7. The clerk of the Senate shall not suffer any records or papers to be taken from the table or out of his custody by any person except a chairman of a committee; but he may deliver any bills or papers, directed to be printed, to the superintendent of public printing, or to any senator, on taking his receipt for the same.

8. The Journal of the Senate shall be daily drawn up by the clerk, and shall be read the succeeding day; it shall be printed under the supervision of the clerk, and delivered to the senators without delay.

9. The clerk of the Senate shall appoint a first assistant and a second assistant clerk, and five committee clerks, not more than one of whom shall be appointed from the same congressional district. One of the committee clerks shall be clerk of the committee on roads and internal navigation, and of agriculture, mining, and manufacturing; one of the committee on general laws, and of privileges and elections; one of the committee for courts of justice, and on public institutions and education; one of the committee on finance and banks; one of the committee on county, city, and town organizations, and on fish and game. The clerks so appointed shall remain in the capitol during the sessions of the Senate, and shall perform any duties that the other standing committees may require, when not employed by their respective committees, and the clerk of the Senate may also require said clerks, when not em-

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ployed by the standing committees, to assist in engrossing bills or aid him in the Senate chamber when necessary. The said clerks shall be removable by the clerk of the Senate, or by the committees of which they are clerks. The second assistant clerk, who shall act as clerk of the committee on education, shall receive the same compensation as a clerk of a committee.

10. Before reading each bill the clerk shall announce whether it is the first, second, or third time of reading the bill.

11. The clerks of the Senate and House of Delegates may interchange messages at such times between the hour of adjournment and that of meeting on the following day as that the said messages may be read immediately after the orders of the day.

12. The clerk of the Senate shall, at each session, have printed and bound with the manual of rules, &c., the Constitution of Virginia, for the use of the senators.

IV.

SERGEANT-AT-ARMS AND DOORKEEPER.

13. No senator shall be taken into custody by the sergeant-at-arms on any complaint of breach of privilege until the matter is examined by the committee of privileges and elections and reported to the Senate, unless by order of the Senate.

14. It shall be the duty of the doorkeeper of the Senate to preserve, in chronological or numerical order, a copy of every printed document distributed in the Senate, and to deliver the same at the close of the session to the clerk of the Senate, whose duty it shall be to have them bound and preserved in his office for the use of this body.

15. In order to prevent interruption of the busi-

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ness of the Senate, the doorkeeper shall be constantly at his post during the sessions of the Senate, and shall admit within the chamber no person except officers of the government of this and any other State, and of the United States; members and ex-members of Congress and House of Delegates; their officers; ex-members of the Senate of Virginia; ministers of the gospel and reporters of the proceedings of the Senate; but ladies and their escorts may be assigned privileged seats. It shall be the duty of the doorkeeper to show all persons not entitled to privileged seats to the gallery. It shall be his duty, when any person desires an interview with a senator or the president, or the clerk of the Senate, to send a messenger to him, and such person may be admitted to one of the privileged seats, if so invited by either of them. And the President of the Senate shall, moreover, be permitted to invite to a seat near the chair any person he may deem worthy of such distinction.

V.

COMMITTEES.

16. At the commencement of each session the following committees shall be elected:

I. A committee of privileges and elections, to consist of not less than seven nor more than ten senators.

II. A committee for courts of justice, to consist of not less than seven nor more than eleven senators.

III. A committee on general laws, to consist of not less than seven nor more than eleven senators.

IV. A committe on roads and internal navigation, to consist of not less than seven nor more than thirteen senators.

V. A committee on finance and banks, to con-

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sist of not less than seven nor more than thirteen senators.

VI. A committee on public institutions and education, to consist of not less than seven nor more than thirteen senators.

VII. A committee on county, city, and town organizations, to consist of not less than seven nor more than ten senators.

VIII. A committee on agriculture, mining, and manufacturing, to consist of not less than seven nor more than ten senators.

IX. A committee on fish and game, to consist of not less than seven nor more than ten senators.

X. A committee on enrolled bills, to consist of not less than seven nor more than nine senators.

The following committees shall consist of three senators, viz:

To examine the office of Clerk of the Senate.

On Rules.

On the Library.

On Executive Expenditures.

To examine the office of Auditor of Public Accounts.

To examine the Second Auditor's office.

To examine the Treasurer's office.

To examine the office of Register of the Land Office.

To examine the Bonds of Public Offices.

On the Public Printing.

17. The standing committees shall be elected by the Senate, unless the Senate direct otherwise, and the Senator first named by the President shall be the chairman, unless the committee direct otherwise.

18. The several comittees shall, in all cases report whether other cases comprised within the principal of the matter referred may arise; and if a bill be ordered, it shall provide for all such cases; and

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upon any matter referred, the commmittee shall have power to report by bill.

19. Select committees shall consist of not less than three nor more than nine Senators. unless the Senate direct otherwise.

20. The committee of privileges and elections shall examine the oaths taken by each Senator and the certificate of election furnished by the proper officer, and report thereon to the Senate.

21. The committee of privileges and elections shall report in all cases of privileges or contested elections the principles and reasons on which their resolutions are founded.

22. The committee on finance and banks shall, at each session, examine into the indebtedness of the Commonwealth, the revenues and expenditures of the preceding year, and prepare an estimate of the expense of the succeeding year, and make such report thereon as they may deem proper.

23. The committee on general laws shall, at each session, examine into the state and manner of administration of the literary fund and make such report thereon as they may deem proper.

24. To the committee on general laws shall be referred all resolutions and bills concerning the militia, private claims, propositions and grievances, and other matters of a general nature not properly referable to any other standing committee.

25. To the committee on public institutions and education shall be referred all bills and resolutions concerning education, the penitentiary, lunatic asylums, the institution for the deaf and dumb and blind, the armory and other public property at the seat of government. And it shall be the duty of the said committee to examine at each session into the condition of the penitenitary and make such report thereon as they may deem proper. Neither said committee, nor a sub-committee thereof shall visit any public institution outside the city of Rich-

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mond, without leave of the Senate first authorized and obtained.

26. To the committee on agriculture, mining, and manufacturing shall be referred all bills, resolutions, and petitions concerning agriculture, mining, manufacturing, commerce, and mechanic arts.

27. The committee to examine the clerk's office shall see that all papers belonging thereto are properly filed, labeled, and put away in the presses, and that the books belonging to the office are chronologically arranged, and shall make an annual report thereof to the Senate.

28. When a bill seeking relief or for an act of incorporation is referred to a standing committee of the Senate, the committee shall examine whether the object can be obtained by application to the courts under the general laws; and if so, it shall be the duty of the committee to report that it shall not pass, unless there be special reasons for its consideration by the General Assembly. And no variation of maximum capital or quantity of land which the courts are authorized to empower corporations to hold, not shown to be indispensably necessary to the object of the corporations, shall be deemed by the committee as exempting the bill from the operation of laws conferring on the courts the power of granting charters or affording relief.

29. The President of the Senate, the President *pro tempore*, and the chairman of the committee on privileges and elections shall constitute a standing committee on rules, to whom all resolutions amending or altering the rules of the Senate shall be referred; and said committee shall report such amendments to said rules as in their judgment are necessary and proper.

30. A majority of any committee shall constitute a quorum.

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VI.

ORDER OF BUSINESS.

31. After reading the journal, one hour, to be called the "morning hour," shall be devoted as follows:

I. To dispose of communications from the House of Delegates and the executive.

II. To receive reports from standing committees (for which purpose they shall be called by the clerk).

III. To receive reports from select committees.

IV. To receive resolutions, petitions, and bills, on leave.

32. At the expiration of the morning hour the Senate shall proceed to the consideration of the calendar, as follows:

I. The unfinished business of the preceding day.

II. Bills and resolutions in the order in which they stand on the calendar.

33. When a bill or resolution of the House of Delegates is passed or rejected by the Senate, it shall remain under the control of the Senate for the space of two days, and the fact of the passage or rejection, with the bill or resolution, shall then be communicated to the House of Delegates, unless otherwise ordered.

34. All bills or other business originating in the Senate shall be dispatched in the order in which they are introduced, and all bills and resolutions sent from the House of Delegates shall be dispatched in the order in which they are sent, unless in either case the Senate direct otherwise.

35. All bills orignating in the Senate shall be read on three separate days, and in case they be of a general nature they shall be printed after their first reading.

36. Bills and resolutions originating in the House

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of Delegates, and not requiring immediate action, shall be read the first and second times when received, and referred to their appropriate committees, unless the Senate direct otherwise.

37. A bill presented by a senator, by leave of the Senate, may be committed before its first reading; but no bill reported from a committee of the Senate shall be recommitted or amended until it has been twice read, nor shall any bill be amended after its third reading, except by the unanimous consent of the Senate.

38. Joint resolutions originating in the Senate shall lie on the table one day at least, unless otherwise ordered.

39. The yeas and nays on any question shall, at the desire of five senators, be entered on the Journal. After the yeas and nays shall have been taken, and before they are counted or entered on the Journal, the clerk shall read over the names of those who voted in the affirmative and of those who voted in the negative, at which time any senator shall have the right to correct any mistake committed in enrolling his name.

40. Upon the determination of a question any Senator may enter his protest upon the Journal, with the consent of one third of the senators present; and on the question, "shall the protest be entered on the Journal?" no privileged motion shall be in order except to adjourn.

41. Whenever the Senate proceeds to consider any nominations of the governor which are subject to the choice or ratification of the Senate, the same shall be considered in executive session, with closed doors, and the proceedings thereon shall be in secret, unless the injunction of secrecy be removed by a vote of the Senate.

42. A motion to take from the table shall not be in order unless the bill, resolution, or other matter proposed to be taken up would be appropriate

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for consideration under the order of business then in hand, as prescribed by rules 31 and 32.

VII.

ORDER AND DECORUM.

43. While the President is reporting or putting any question, or the clerk is reporting a bill or calling the roll, or a senator is addressing the chair, strict order shall be observed.

44. If words be spoken in debate that give offence, exceptions thereto shall be taken the same day, and be stated in writing; and in such case, if the words be decided by the president or by the Senate, upon an appeal, to be offensive, and they be not explained or retracted by the senator who uttered them, he shall be subject to such action as the Senate shall deem necessary.

VIII.

ASCERTAINING THE QUESTION.

45. A motion for a second reading, and a motion for committing the bill, may be submitted at the same time; but the question upon these motions shall be put separately, if required by any senator.

46. Any senator may call for a division of the question which shall be divided if it comprehend propositions so distinct in substance, that one being taken away a substantive proposition shall remain for the decision of the Senate; and a motion to strike out being lost, shall preclude neither amendment nor a motion to insert, nor a motion to strike out and insert.

47. When a question is pending, no motion shall be received but to adjourn, to pass by for the pending question, for the previous question, to lie on

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the table, to pospone indefinitely, to adjourn the question to a different day, to commit, or amend; which several motions shall have precedence in the order in which they were arranged.

IX.

THE PENDING AND PREVIOUS QUESTIONS.

48. Upon a motion for the pending question, seconded by a majority of the senators present, indicated by rising or by a recorded vote, the President shall immediately put the pending question; and all incidental questions of order arising after a motion for the pending question is made, and pending such motion, shall be decided, whether on appeal or otherwise, without debate.

49. Upon a motion for the previous question, seconded by a majority of senators present, indicated by rising or by a recorded vote, the President shall immediately put the question, first upon amendments in the order prescribed in the rules, and then upon the main question. If the previous question be not ordered, debate may continue as if the motion has not been made.

X.

TAKING THE VOTE.

50. Every senator present, when any question is put or vote taken, shall vote or be counted as voting on one side or the other; but no senator shall vote on a question in the event of which he is immediately or personally interested.

51. Every question shall be first put in the affirmative, and then in the negative, and the President shall declare whether the yeas or nays have it; which declaration shall stand as the judgment of

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the Senate, unless a senator call for a division, in which event the President shall divide the Senate.

52. When the yeas and nays are ordered, or a call for the Senate is directed, the names of the senators shall be called in alphabetical order.

53. No senator shall be allowed to vote unless he be present within the chamber at the time the Senate is being divided, or before a determination of the question upon a call of the roll.

XI.

DEBATE.

54. When any member is about to speak in debate, or deliver any matter to the Senate, he shall rise from his seat, and without advancing, with due respect, address "MR. PRESIDENT," confining himself strictly to the point in debate, and avoiding all disrespectful language.

55. No member shall speak more than twice on the same subject, without leave of the Senate; nor more than once, until every member choosing to speak shall have spoken.

56. No question shall be debated until it has been propounded by the President, and then the mover shall have a right to explain his views in preference to any senator.

57. When the President is putting a question, any senator who has not spoken before to the matter may speak to the question before the negative is put.

58. During any debate, any senator, though he has spoken to the matter, may rise and speak to the orders of the Senate, if they be transgressed, in case the President do not; but if the President stand up at any time, he is first to be heard, and while he is up senators must keep their seats.

59. No senator shall be allowed to be inter-

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rupted while speaking, except on points of order, to correct erroneous statements, or to answer any questions that may be propounded by the senator speaking.

60. Motions to adjourn; lay on the table; for the pending question; for the previous question; to suspend the rules; to take from the table; to take up orders of the day; to close debate; to limit debate; to extend limit of debate; to read papers; to reconsider questions not debatable, shall not be debated; but upon a motion to suspend a rule, or to take from the table, to lay on the table, or to take up orders of the day, the mover shall be allowed five minutes to state the reasons for his motion, and one member opposed to the motion shall be allowed a like time to object. And when a question not debatable is before the Senate, all incidental questions arising after it is stated shall be decided and settled, whether on appeal or otherwise without debate; and the same rule shall apply to all incidental questions arising after any question is put to the house.

XII.

RECONSIDERATION.

61. A question being once determined must stand as the judgment of the Senate, and cannot during the same session be drawn again into debate. No motion to reconsider a question which has been decided, shall be entertained, unless it be made by a senator voting with the prevailing side, nor unless made on the same day on which the vote was taken or within the two next days of actual session of the Senate thereafter: provided, however, that when any question is decided in the negative simply for the want of a majority of the whole Senate, any senator who was absent from

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the city of Richmond or detained from his seat by sickness at the time of the vote sought to be reconsidered may move its reconsideration.

XIII.

PETITIONS.

62. No petition of a private nature, having been once rejected, shall be acted on a second time, unless it be supported by new evidence; nor shall any such petition, after a third disallowance, be again acted on. The several clerks of committees shall keep alphabetical lists of all such petitions, specifying the session at which they were presented and the determination of the Senate thereon, and shall deliver the original petition to the clerk of the Senate, to be preserved in his office.

63. No petition shall be received claiming a sum of money or praying the settlement of unliquidated accounts, unless it be accompanied with the certificate of disallowance from the executive or auditor containing the reason why it was rejected. But this order shall extend to no person applying for a pension.

64. When any such petition, or bill founded on one, is rejected, such petition shall not be withdrawn; but the petitioner, or senator presenting his petition, or any senator from the county or corporation in which the petitioner resides, may, without leave, withdraw any document filed therewith, and a list of all documents so withdrawn, shall be preserved by the clerk. All petitions not finally acted on, may, with the accompanying documents, be in like manner withdrawn after the expiration of the session at which they were presented.

65. No petition shall be read in the Senate unless particularly requested by some senator; but every senator presenting one shall announce the

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name of the petitioner, nature of the application, and whether, in his opinion, a similar application had been before made by said petitioner. He shall also endorse on the back of the petition his own name as a pledge that it is drawn in respectful language; whereupon it shall be delivered to the clerk, by whom it shall be laid before the proper committee.

XIV.

MANUAL AND RULES.

66. The rules of the Senate shall not be suspended except by a vote of two-thirds of the senators present, to be ascertained by an actual division of the Senate.

XV.

CONSTRUCTION OF RULES.

67. In the construction of the foregoing rules, reference shall first be had to Jefferson's Manual and the Digest of the rules of the Congress of the United States.

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THE HOUSE OF DELEGATES.

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DISTRICTS AND DELEGATES.

Accomac—Thomas W. Russell.
Albemarle and Charlottesville—John B. Moon and John S. Harris.
Alexandria City and County—Charles Bendheim.
Alleghany, Bath, and Highland—A. F. Withrow.
Amherst—C. J. Campbell.
Augusta and Staunton—Thomas R. N. Speck and George Wellington Koiner.
Bedford—Samuel M. Bolling and William P. Burks.
Botetourt—E. J. Brugh.
Brunswick—F. E. Buford.
Buchanan, Dickenson, and Wise—R. T. Irvine.
Buckingham and Cumberland—Camm Patteson.
Campbell—Wm. M. Murrell.
Campbell and Appomattox—Sterling C. Stratton.
Caroline—R. A. Ricks.
Carroll—S. E. Wilkinson.
Charlotte—A. S. Priddy.
Chesterfield and Manchester and Powhatan—Carter H. Harrison and J. M. Gregory.
Clarke and Warren—H. H. Downing.
Craig, Roanoke City and County—R. H. Logan and M. C. Thomas.
Culpeper—J. Catlett Gibson.
Dinwiddie—Knox Thompson.
Elizabeth City and Accomac—Baker P. Lee.
Essex and Middlesex—J. R. Segar.
Fairfax—Joseph E. Willard.
Fauquier—Theo. C. Pilcher.
Floyd and Franklin—S. T. Turner.
Fluvanna and Goochland—W. B. W. Brooking.
Franklin—E. W. Saunders.
Frederick and Winchester—Charles F. Nelson.
Gloucester and Mathews—J. N. Tabb.
Grayson—Melville B. Cox.
Greene and Madison—John C. Utz.
Greenesville and Sussex—P. F. Weaver.
Halifax—R. L. Dejarnette and Thomas B. Clark.
Hanover—R. H. Cardwell.
Henrico—William J. Binford.
Henry—W. B. Eanes.
Isle of Wight—R. E. Boykin.

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King & Queen—James S. Jones.
King William and Hanover—Isaac Diggs.
Lancaster and Richmond—Howard Hathaway.
Lynchburg City—Randolph Harrison.
Lee—H. C. Slemp.
Loudoun—John F. Ryan.
Loudoun and Fauquier—Eppa Hunton, Jr.
Louisa—Andrew J. Richardson.
Lunenburg—Nathaniel Matthews.
Mecklenburg—T. Y. Allen.
Montgomery—John U. Sumpter.
Nansemond—J. E. Booker.
Nelson—Bland Massie.
New Kent, Charles City, James City, York, Warwick, and City of Williamsburg—Robert W. Perkins.
Norfolk City—Merritt T. Cooke and L. L. Kellam.
Norfolk County—M. S. Newberne.
Northampton and Accomac—Charles Smith.
Northumberland and Westmoreland—R. B. Spilman.
Nottoway and Amelia—R T. Vaughan.
Orange—R. P. Graves.
Page and Rappahannock—B. W. Petty.
Patrick—S. A. Thompson.
Petersburg City—William P. McRae and John B. Evans.
Pittsylvania and City of Danville—R. I. Anderson, Nathan A. Hall, J. I. White, and Eugene Withers.
Portsmouth—W. A. Fentress.
Princess Anne—George W. Leggett.
Prince Edward—Colin Stokes.
Prince George and Surry—S. B. Barham.
Prince William—Charles E. Nicol.
Pulaski and Giles—James B. Caddall.
Rappahannock—John B. Miller.
Richmond City—Julian Bryant, Thomas Byrne, J. Alston Cabell, B. T. Crump and John S. Harwood.
Rockbridge—R. G. Paxton and James K. Edmondson.
Rockingham—William H. Blakemore and C. E. Fahrney.
Russell—L. M. Wilson.
Scott—Miles Craft.
Shenandoah—Jacob G. Neff.
Southampton—J. D. Pretlow.
Smyth and Bland—John P. Sheffey.
Spotsylvania and City of Fredericksburg—Solon T. Coleman.
Stafford and King George—J. E. Mason.
Tazewell—J. Howe Sayers.
Washington—E. S. Kendrick and W. H. Tomney.
Wythe—R. W. Sanders.

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MEMBERS OF THE HOUSE OF DELEGATES.

NAMES.	POSTOFFICE.	TELEGRAPH STATION.	COUNTIES.
Allen, T. Y.	Skipwith	Five Forks	Mecklenburg.
Anderson, R. I.	Elba	Franklin Junction	Pittsylvania.
Barham, S. B.	Spottsville	Wakefield	Surry.
Bendheim, Charles.	Alexandria city	Alexandria city	Alexandria.
Binford, William J.	Richmond	Richmond city	Henrico.
Blakemore, Wm. H.	Spring Creek	Harrisonburg	Rockingham.
Bolling, Samuel M.	Bedford city	Bedford city	Bedford.
Booker, J. E.	Suffolk	Suffolk	Nansemond.
Boykin, R. E.	Smithfield	Smithfield	Isle of Wight.
Brooking, W. B. W.	Balham	Irwin	Goochland.
Brugh, E. J.	Fincastle	Fincastle	Botetourt.
Bryant, Julian	Richmond city	Richmond city	Henrico.
Buford, F. E.	Lawrenceville	Lawrenceville	Brunswick.
Burks, William P.	Otterville	Big Island	Bedford.
Byrne, Thomas	Richmond city	Richmond city	Henrico.
Cabell, J. Alston	Richmond city	Richmond city	Henrico.
Caddall, James B.	Pulaski city	Pulaski city	Pulaski.
Campbell, C. J.	Amherst C. H.	Amherst C. H.	Amherst.
Cardwell, Richard H.	Richmond city	Richmond city	Hanover.
Clark, Thomas B.	Clarkton	Clarkton	Halifax.
Coleman, Solon T.	Mayre	Guinea	Spotsylvania.

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NAMES.	POSTOFFICE.	TELEGRAPH STATION.	COUNTIES.
Cooke, Merritt T.	Norfolk city	Norfolk city	Norfolk.
Cox, Melville B.	Saddle	Wytheville	Grayson.
Craft, Miles	Hill's Station	Clinchport	Scott.
Crump, B. T.	Richmond city	Richmond city	Henrico.
Dejarnette, R. L.	Houston	Houston	Halifax.
Diggs, Isaac	West Point	West Point	King William.
Downing, H. H.	Front Royal	Front Royal	Warren.
Eanes, W. B.	Spoke	Stockton	Henry.
Edmondson, J. K.	Lexington	Lexington	Rockbridge.
Evans, John B.	Petersburg	Petersburg	Dinwiddie.
Fahrney, C. E.	Timberville	Broadway	Rockingham.
Fentress, W. A.	Portsmouth	Portsmouth	Norfolk.
Gibson, J. Catlett	Culpeper	Culpeper	Culpeper.
Graves, R. P.	Thornhill	Orange	Orange.
Gregory, J. M.	Manchester	Manchester	Chesterfield.
Hall, Nathan A.	Chatham	Chatham	Pittsylvania.
Harris, John S.	Batesville	Crozet	Albemarle.
Harrison, Carter H.	Vinitaville	Vinita	Powhatan.
Harrison, Randolph	Lynchburg	Lynchburg	Campbell.
Harwood, John S.	Richmond city	Richmond city	Henrico.
Hathaway, Howard	White Stone	White Stone	Lancaster.
Hunton, Jr., Eppa	Warrenton	Warrenton	Fauquier.
Irvine, R. T.	Big Stone Gap	Big Stone Gap	Wise.
Jones, James S.	Bruington	Lester Manor	King & Queen.

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Kellam, L. L.	Norfolk city	Norfolk city	Norfolk.
Kendrick, E. S.	Bristol, Va.	Bristol, Va.	Washington.
Koiner, George W.	Fishersville	Fishersville	Augusta.
Lee, Baker P.	Hampton	Hampton	Elizabeth City.
Leggett, George W.	Oceana	Virginia Beach	Princess Anne.
Logan, R. H.	Salem	Salem	Roanoke.
Mason, J. E.	Comorn	King George C. H.	King George.
Massie, Bland	Tyro	Arrington	Nelson.
Matthews, Nathaniel	McFarland's	Blackstone	Lunenburg.
McRae, William P.	Petersburg	Petersburg	Dinwiddie.
Miller, John B.	Sperryville	Culpeper	Rappahannnock.
Moon, John B.	Charlottesville	Charlottesville	Albemarle.
Murrell, Wm. M.	Lynchburg	Lynchburg	Campbell.
Neff, Jacob G.	Mount Jackson	Mount Jackson	Shenandoah.
Nelson, Charles F.	Winchester	Winchester	Frederick.
Newberne, M. S.	Gertie	Wallaceton	Norfolk.
Nicol, Charles E.	Manassas	Manassas	Prince William.
Patterson, Camm.	Repton	Howardsville, Albem'le.	Buckingham.
Paxton, R. G.	Glasgow	Glasgow	Rockbridge.
Perkins, Robert W.	Newport News	Newport News	Warwick.
Petty, B. W.	Grove Hill	Shenandoah city	Page.
Pilcher, Theo. C.	Midland	Midland	Fauquier.
Pretlow, J. D.	Franklin	Franklin	Southampton.
Priddy, A. S.	Keysville	Keysville	Charlotte.
Richardson, Andrew J.	Frederick's Hall	Frederick's Hall	Louisa.
Ricks, R. A.	Ruther Glen	Ruther Glen	Caroline.
Russell, Thomas W.	Accomack	Tasley	Accomack.
Ryan, John F.	Arcola	Farmwell	Loudoun.
Sanders, R. W.	Max Meadows	Max Meadows	Wythe.
Saunders, E. W.	Rocky Mount	Rocky Mount	Franklin.
Sayers, J. Howe	Pocahontas	Pocahontas	Tazewell.
Segar, J. R.	Jamaica	Urbana	Middlesex.

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NAMES.	POSTOFFICE.	TELEGRAPH STATION.	COUNTIES.
Sheffey, John P.	Marion	Marion	Smyth.
Slemp, H. C.	Turkey Cove	Big Stone Gap	Lee.
Smith, Charles	Franktown	Nassauadox, Va.	Northampton.
Speck, Thomas R. N.	Staunton	Staunton	Augusta.
Spilman, R. B	Leedstown	Fredericksburg	Westmoreland.
Stratton, Sterling C.	Spanish Oaks	Concord	Appomattox.
Stokes, Colin	Farmville	Farmville	Prince Edward.
Sumpter, John U.	Elliston	Elliston	Montgomery.
Tabb, J. N.	Wan	Gloucester C. H.	Gloucester.
Thomas, M. C.	Roanoke city	Roanoke city	Roanoke.
Thompson, Knox	Dinwiddie C. H.	Petersburg	Dinwiddie.
Thompson, S. A.	Starkey	Stuart	Patrick.
Tomney, W. H.	Glade Spring, Va.	Glade Spring, Va.	Washington.
Turner, S. T.	Floyd	Christiansburg	Floyd.
Utz, John C.	Madison	Rapidan Station	Madison.
Vaughan, R. T.	Amelia C. H.	Amelia C. H.	Amelia.
Weaver, P. F.	Claresville	Belfield	Greenesville.
White, J. I.	Laurel Grove	Sutherlin's	Pittsylvania.
Willard, Joseph E.	Fairfax C. H.	Fairfax C. H.	Fairfax.
Wilkinson, S. E.	Hillsville	Betty Baker	Carroll.
Wilson, L. M.	Sword's Creek	Sword's Creek	Russell.
Withers, Eugene	Danville	Danville	Pittsylvania.
Withrow, A. F.	Millboro' Springs	Millboro' Depot	Bath.

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OFFICERS, Etc.

NAMES.	OFFICES.	POSTOFFICES.
R. H. Cardwell.....	Speaker.....	Richmond city.
John Bell Bigger.....	Clerk, and Keeper of the Rolls.....	Richmond city,
Thomas H. Bigger.....	Assistant Clerk.....	" "
H. Tate Evans.....	Enrolling Clerk...	" "
John T. Loving.....	Commttee Clerk..	Pulaski city.
J. N. Brenaman.....	" " ..	New Market.
Charles B. Mann.....	" " ..	Petersburg.
E. L. Hunter,.....	" " ..	King George C. H.
John W. Williams.....	" " ..	Radford.
James N. Bell.....	" " ..	Norfolk city.
John C. Carpenter.....	Sergeant-at-Arms.	Covington.
A. O. Sullivan	Doorkeeper	Christiansburg.
P. E. Lipscomb.....	"	Cumnor.
Joseph Myers.....	Janitor	Richmond city.
Floyd Gregory*	Page	Keysville.
Cary P. Carr.....	"	Richmond city.
J. H. Binford Peay.....	"	" "
Bransford Puller.....	"	" "
J. A. Hirshberg	"	" "
Herbert Curtis.....	"	" "
Harry B. Johnston.....	"	Pearisburg, Giles.
E. Hunton Charlton...	"	Norfolk county.

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HOUSE STANDING COMMITTEES.

PRIVILEGES AND ELECTIONS.

Messrs. Gibson, Harrison of *Lynchburg*, Lee, Neff, Patteson, Cabell, Dejarnette, Murrell, Eanes, Sanders of *Wythe*, Evans, Gregory, and Buford.
Clerk—James N. Bell.

COURTS OF JUSTICE.

Messrs. Saunders of *Franklin*, Gibson, Fentress, Bendheim, Downing, Harrison of *Lynchburg*, Logan, Nicol, Patteson, Hathaway, Withers. Boykin, Crump, Brugh, Diggs, Irvine, Hunton, McRae, Russell, Sheffey, Dejarnette, Buford, and Gregory.
Clerk—E. L. Hunter.

SCHOOLS AND COLLEGES.

Messrs. Campbell, Fentress, Thomas, Neff, Nelson, Harris, Barham, Paxton, Smith, Richardson, Tomney, Massie, and Stokes.
Clerk—John W. Williams.

PROPOSITIONS AND GRIEVANCES.

Messrs. Mason, Utz, Cabell, Matthews, Bolling, Willard, Diggs, Booker, Clark, Graves, Murrell, Massie, and Buford.
Clerk—James N. Bell.

ROADS (RAILROADS) AND INTERNAL NAVIGATION.

Messrs. Ryan, Mason, Downing, Pilcher, With-

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row, Thomas, Sumpter, Kellam, Irvine, Eanes, Brayant, Nelson, and Harrison of *Powhatan*.
Clerk—Charles B. Mann.

FINANCE.

Messrs. Moon, Ryan, Cooke, Jones, Koiner, Fahrney, Willard, Perkins, Edmondson, Kendrick, Harwood, Miller, Neff, and Ricks.
Clerk—J. N. Brenaman.

CLAIMS.

Messrs. Blakemore, Newberne, Hall, Brooking, Booker, Burks, Speck, Cox, Craft, Leggett, Pretlow, Sanders of *Wythe*, and Vaughan.
Clerk—E. L. Hunter.

MILITIA AND POLICE.

Messrs. Bendheim, Hathaway, Binford, Brugh, Bryant, Cooke, Fahrney, Kendrick, Perkins, Saunders of *Franklin*, Willard, Speck, and Slemp.
Clerk—John W. Williams.

ASYLUMS AND PRISONS.

Messrs. Jones, Thompson of *Dinwiddie*, Blakemore, Withrow, Edmondson, Sheffey, Pretlow, Speck, Craft, Brooking, Priddy, Binford, and Coleman.
Clerk—J. N. Brenaman.

LABOR AND THE POOR.

Messrs. Pilcher, Thomas, Tabb, Byrne, Leggett, Perkins, Priddy, Stratton, Koiner, Moon, Coleman, Stokes, and Slemp.
Clerk—John W. Williams.

PUBLIC PROPERTY.

Messrs. Anderson, Tomney, Barham, Murrell,

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Brugh, Sheffey, Burks, Clark, Evans, Withers, Wilkinson, Ricks, and Turner.
Clerk—J. N. Brenaman.

BANKS, CURRENCY, AND COMMERCE.

Messrs. Downing, Cooke, Fentress, Sumpter, Newberne, Crump, Lee, Boykin, Pilcher, Mason, Matthews, Slemp, and Weaver.
Clerk—John W. Williams.

AGRICULTURE AND MINING.

Messrs. Withrow, Bolling, Koiner, Fahrney, Massie, Caddall, Hall, Wilson, Graves, Cox, Stratton, Vaughan, and Sayers.
Clerk—Charles B. Mann.

MANUFACTURES AND MECHANIC ARTS.

Messrs. Byrne, Utz, Kellam, Wilkinson, Sumpter, Eanes, Thompson of *Patrick*, White, Spilman, Nelson, Wilson, Turner, and Sayers.
Clerk—John T. Loving.

COUNTIES, CITIES, AND TOWNS.

Messrs. Fentress, Fahrney, White, Miller, Kellam, Barham, Binford, Segar, Evans, Caddall, Petty, Thompson of *Patrick*, and Allen.
Clerk—John T. Loving.

OFFICES AND OFFICERS AT THE CAPITOL.

Messrs. Fahrney, Bolling, Thompson, Miller, Bryant, Sanders of *Wythe*, Wilkinson, Hall, Matthews, Patteson, Russell, Saunders of *Franklin*, and Stokes.
Clerk—John W. Williams.

EXECUTIVE EXPENDITURES.

Messrs. Thomas, Tabb, Sheffey, Hunton, Har-

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wood, Nicol, Hathaway, Sanders of *Wythe*, Irvine, McRae, Miller, Richardson, and Gregory.
Clerk—Charles B. Mann.

RETRENCHMENT AND ECONOMY.

Messrs. Harris, Thompson of *Dinwiddie*, Campbell, Matthews, Edmondson, Graves, Caddall, Diggs, Paxton, Segar, White, Ricks, and Harrison of *Powhatan*.
Clerk—John T. Loving.

FEDERAL RELATIONS AND RESOLUTIONS.

Messrs. Patteson, Gibson, Lee, Cooke, Crump, Thomas, Harrison of *Lynchburg*, Hunton, Logan, Moon, Nicol, Russell, and Gregory.
Clerk—John T. Loving.

ENROLLED BILLS.

Messrs. Bolling, Tabb, Pilcher, Spilman, Brooking, Caddall, Thompson of *Patrick*, Stratton, Tomney, Wilkinson, Evans, Slemp, and Weaver.
Clerk—H. Tate Evans.

IMMIGRATION.

Messrs. Utz, Massie, Harris, Paxton, Craft, Coleman, Brooking, Clark, Cox, Evans, Kendrick, Petty, and Sayers.
Clerk—E. L. Hunter.

CHESAPEAKE AND ITS TRIBUTARIES.

Messrs. Cooke, Tabb, Withrow, Boykin, Smith, Cabell, Burks, Leggett, McRae, Pretlow, Priddy, Neff, and Spilman.
Clerk—James N. Bell.

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HOUSE EXPENSES.

Messrs. Thompson of *Dinwiddie*, Richardson, Segar, Turner, and Ricks.
Clerk—Charles B. Mann.

RULES.

Messrs. Speaker, *ex officio*, Ryan, Lee, Withers, and Allen.
Clerk—Charles B. Mann.

LIBRARY.

Messrs. Cabell, Downing, Logan, Withers, and Dejarnette.
Clerk—J. N. Brenaman.

PRINTING.

Messrs. Booker, Campbell, and Tomney.
Clerk—James N. Bell.

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RULES OF THE HOUSE OF DELEGATES.

I.

ORGANIZATION—ELECTIONS.

1. At the elections in the House the voting shall be *viva voce*, unless otherwise expressly provided, and only one person shall be chosen at a time. If on the first voting no one receives a majority, the person having the smallest number of votes shall not be voted for on the next trial; and so on until some one shall receive a majority of the whole vote. If the election be by joint vote of the two houses, messages shall be exchanged before each voting, announcing the names of the persons in nomination. A committee of three from each house shall compare the votes, and ascertain and report the result.

THE SPEAKER.

2. "The House of Delegates shall choose its own Speaker." The Speaker may call any member to the chair, who shall exercise its functions for the time; but no member by virtue of such appointment shall preside for a longer time than three days. During such substitution, the Speaker may participate in the debates. If the Speaker be absent, and have named no one to act in his stead, the duties shall be performed by the chairman of one of the standing committees, taking precedence

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in the order in which the committees are named in Rule 16.

3. The Speaker shall take the chair every day precisely at the hour to which the House shall have adjourned on the preceding day; shall immediately call the House to order, and a quorum being present, shall call the journal of the preceding day to be read. Any mistake in the entries shall, upon motion, then be corrected.

4. The Speaker shall have power to supervise and correct the journal before it is read. He shall have a general direction of the hall, with power, in case of disturbance or disorderly conduct in such part thereof as may be appropriated to spectators, to have the same cleared. Stenographers and reporters for the press, wishing to take down the proceedings of the House, may be admitted by the Speaker, who shall assign them to such places on the floor as shall not interfere with the convenience of members.

5. All acts, addresses, and joint resolutions shall be signed by the Speaker; and all writs and warrants issued by order of the House shall be under his hand and seal, attested by the clerk.

THE CLERK.

6. A clerk shall be elected by the House, and shall be deemed to continue in office until another is chosen. He may employ an assistant clerk, and shall, subject to the approval of the Speaker, appoint the six committee clerks provided for by law. He shall be charged with the whole clerical business of the House and of its committees, and shall see that the committee clerks discharge properly the duties required of them by the several committees to which they are assigned, and that, when not so employed, they render such assistance as may be required to other committees and in the

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business of the House. The committee clerks may be removed by the clerk, with the approval of the Speaker; and they shall be so removed upon the request of the committees to which they are severally assigned.

7. The clerk shall perform all the duties of his office under the direction of the Speaker. He shall keep a Journal of the proceedings of the House, and shall submit it daily to the Speaker in time to be examined before the next assembling of the House. He shall keep at the clerk's table, during the sittings of the House, a calendar or docket so arranged as to show the condition and progress of the business of the House.

8. He shall keep accounts of the compensation of the members and officers of the House, and shall from time to time certify the same to the auditor. He shall provide the stationery required for the business of his office and of the House, and for the use of the members during the session; but the amount furnished to each member shall not exceed in value five dollars a session. The claim of the clerk for such supplies, when approved by the committee on House expenses, shall be certified by the Speaker to the auditor. He shall keep detailed accounts of all these transactions in a book to be provided for the purpose, which shall be at all times open to inspection by members of the House.

SERGEANT-AT-ARMS.

9. A sergeant-at-arms shall be elected by the House, and shall continue in office during its pleasure. He shall have as his assistants two doorkeepers, who shall be elected by the House, and six pages, to be appointed by the Speaker, who shall receive as compensation one-half the amount provided by law for a doorkeeper.

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10. He shall, with his assistants, attend upon the House during its sitting, and shall execute its commands, together with all such process, issued by its authority, as shall be directed to him by the Speaker.

11. He shall, under the direction of the Speaker, have charge of the police of the hall, and shall prevent any interruption of the business of the House by disorder, within or without. He shall distribute among the members all papers printed for their use, and shall give such attendance upon them during the sittings of the House as well promote their comfort and facilitate the business of the House.

12. He shall procure for the members, when required, certificates for pay and mileage, and, at their request and upon their endorsement, shall collect and pay over to those entitled to the money due upon such certificates.

13. He shall attend to receiving and dispatching all mail or telegraphic matter intended for or sent by members, and shall make such arrangements therefor as to promote the convenience of the members.

OATHS OF OFFICERS.

14. The oaths which the officers of the House are required by law to take, shall be administered and certified by a justice of the peace or notary public, and be filed with the clerk of the House.

COMMITTEES.

15. All committees shall be appointed by the Speaker, unless otherwise specially directed by the House, in which case they shall be appointed by ballot, and a plurality of votes shall prevail. The first-named member of any committee shall be the

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chairman, and if he be absent, or be excused by the House, the next-named member, and so on, unless the committee elect a chairman.

16. At the beginning of each regular session there shall be appointed standing committees, to consist of not less than nine nor more than thirteen members (except the finance committee, which shall consist of fifteen members), as follows:

1st. Privileges and elections.
2d. Courts of justice.
3d. Schools and colleges.
4th. Propositions and grievances.
5th. Roads and internal navigation.
6th. Finance.
7th. Claims.
8th. Militia and police.
9th. Asylums and prisons.
10th. Labor and the poor.
11th. Public property.
12th. Banks, currency, and commerce.
13th. Agriculture and mining.
14th. Manufactures and mechanic arts.
15th. Counties, cities and towns.
16th. Officers and offices at the capitol.
17th. Executive expenditures.
18th. Retrenchment and economy.
19th. Federal relations and resolutions.
20th. Enrolled bills.
21st. Immigration.
22d. Chesapeake and its tributaries.

17. Also a standing committee, to consist of five members, to be called the committee on House expenses. It shall be the duty of this committee to examine from time to time the accounts kept by the clerk with the members and officers of the House, and to decide all questions arising in relation thereto, subject to an appeal to the House.

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No account for printing, stationary or any other expenses of the House shall be certified for payment without the previous approval of this committee.

18. Also a standing committee on rules, to consist of five members, including the Speaker, who shall be chairman of the committee.

19. Also a standing committee on the library, to consist of five members, and one on printing, to consist of three members. These committees, when acting with like committees of the Senate, shall constitute the "library committee" and the "committee on printing" provided for by law; but in all other respects shall act as committees of the House.

20. Any committee of the House may at their discretion confer with a committee of the Senate having under consideration the same subject; but no joint committee shall be appointed. Nor shall any select committee be appointed to consider any subject falling properly within the province of a standing committee.

21. After the minimum number required for any committee has been appointed, the Speaker may, from time to time, at his discretion, fill it up to the maximum allowed by the rules, which shall in no case be exceeded.

22. Five members of any committee, or a majority if less than five, shall constitute a quorum. Each committee shall appoint its own regular meetings; and it shall be the duty of a committee to meet on a call of any two of its members, if the chairman be absent or decline to appoint such meeting; but no committee shall sit during the sitting of the House without special leave.

23. The several standing committees shall not only consider and report upon the matters specially referred to them, but shall, whenever practicable, suggest such legislation as will provide upon gen-

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eral principles for all similar cases. And it shall be the duty of each committee to enquire into the condition and administration of the laws relating to the subjects which they have in charge; to investigate the conduct and look to the responsibility of all public officers and agents concerned, and to suggest such measures as will correct abuses, protect the public interests, and promote the public welfare.

24. Committees shall in all cases report by bill or resolution in such form that if passed or agreed to, it will carry into effect their recommendations. Every such bill or resolution shall be printed, unless the committee recommend that the same be not printed; but no papers returned therewith shall be printed unless the committee shall so recommend.

COMMITTEE OF THE WHOLE.

25. When the House shall go into the committee of the whole the Speaker may vacate the chair and call some member to preside in committee; the other officers shall attend, and the rules of the House shall be observed and enforced in committee, as far as applicable, except that the previous question shall not be ordered.

26. If the committee rise before the consideration of the subject referred is concluded, the same shall be reported back and have its place in order as unfinished business of the House. When it shall be again reached in order, unless it be otherwise disposed of, the House, after making such orders as it may deem proper in relation to the business before the committee, shall stand again resolved into the committee of the whole, and so on until the business therein be disposed of.

27. Nothing shall be in order in the committee of the whole except such matters as may be specially referred to it by the House.

28. Whenever the committee of the whole shall

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find itself without a quorum the chairman shall cause the roll to be called, and thereupon the committee shall rise, and the chairman shall report the fact and the names of the absentees, which shall be entered upon the Journal of the House.

29. The motion to go into committee of the whole and the motion to discharge the committee, shall not be debated.

II.

ATTENDANCE AND ADJOURNMENT.

30. No member shall absent himself from the service of the House unless he have leave or be sick or unable to attend.

31. Any ten members or more (including the Speaker, if there be one, and he be present) shall be authorized to compel the attendance of absent members by a call of the House.

32. Upon the roll of the House the names of the members shall in all cases be arranged and called in alphabetical order, except that the Speaker shall be called last.

33. Upon a call of the House, the names of the members shall be first called over by the clerk, and the absentees noted; after which the names of the absentees shall be again called over. The doors shall then be shut, and those for whom no excuse or insufficient excuses are made, may, by order of those present, if ten in number, be taken in custody as they appear, or may be sent for and taken into custody, wherever to be found, by the sergeant-at-arms or his assistants, or by special messengers to be appointed for that purpose.

34. When a member shall be discharged from custody, and admitted to his seat, the House shall determine whether such discharge shall be with or without payment of fees and expenses.

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35. Any member or members may adjourn from day to day. A motion to adjourn, and a motion to fix the time to which the House will adjourn, shall always be in order, and shall be decided without debate.

III.

INTRODUCTION OF BUSINESS.

36. Messages from the governor and reports and communications (except petitions and memorials) from any other public officer or agent may be received at any time, and if, in the judgment of the Speaker, they require immediate action, may be brought at once to the attention of the House; otherwise they shall lie upon the Speaker's table and be disposed of in the morning hour. The same rule shall be observed with regard to messages from the Senate.

37. Members having petitions, memorials, resolutions, or bills to present, may at any time, hand them to the clerk, endorsed with their names and the reference or disposition desired. The clerk shall, under the direction of the Speaker, refer all such papers to the proper committees, and enter the fact, with the names of the members presenting them, upon the journal.

38. No petition, memorial, bill, joint resolution, proposition to change a rule of the House, or resolution calling for information from the governor or other public officer or agent, shall be introduced, considered, or acted upon otherwise than is provided by the preceding rule until it shall have been examined and reported upon by a committee.

39. Any other resolution or motion upon which a member may desire the judgment of the House, or any action other than a reference to a standing committee, may be presented to the House in the

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morning hour after the business on the Speaker's table is disposed of.

40. Reports of committees may be handed to the clerk at any time. He shall endorse upon them the time at which they are received, and place them upon the Speaker's table, to be disposed of in the morning hour. If, in the judgment of the Speaker, any report of a committee requires immediate action, he may bring it to the attention of the House at any time.

IV.

ORDER OF BUSINESS—THE MORNING HOUR.

41. After the reading of the journal, one hour to be called the "morning hour," shall be devoted to the dispatch of business upon the Speaker's table, and to resolutions presented under Rule 39. The business on the Speaker's table shall be disposed of in such order as the Speaker shall deem best, except as may be herein otherwise provided, or as the House may at any time order.

42. The annual message of the governor shall be laid before the House as soon as it is received. It shall be printed for the use of the House, and shall be considered by the several standing committees without any special order therefor.

43. All other messages from the governor shall, unless the House otherwise order, be referred by the Speaker to the proper committees. And the same rule shall be observed as to reports and communications from other public officers.

44. Bills and joint resolutions sent from the Senate shall be referred by the Speaker to the proper committees; those originating in the Senate being previously twice read. All other messages from the Senate shall, unless the House otherwise order, be referred by the Speaker to the proper committees.

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45. All bills and joint resolutions reported from committees, and which have been previously read in the House, shall be transferred at once to the calendar in the order in which they are reported. All those reported for the first time shall be numbered in the order in which they were handed to the clerk, and shall be read the first time and transferred to the calendar.

46. All other reports from committees shall be considered and disposed of in the order in which the Speaker shall present them, unless the House shall in any case otherwise direct.

47. A member presenting a resolution under Rule 39 shall be allowed five minutes in which to explain his wishes in relation to it; after which the question on referring to a standing committee shall be taken without debate. If the House refuses to refer, the resolution shall be considered and disposed of.

48. Printing recommended by committees under Rule 24, shall be ordered by the Speaker, unless the House shall otherwise direct. Under such order no more copies of any document shall be printed than is provided by law; nor shall more than two hundred and thirty copies be printed of any bill, resolution, petition, or memorial without the special order of the House.

THE CALENDAR.

49. At the expiration of the morning hour, or sooner if the business of the morning hour has been disposed of, the House shall proceed to consider bills and joint resolutions upon the calendar, in the following order:

1st. Pending motions to reconsider, relating to business proper for the calendar.

2d. The unfinished business of the preceeding day.

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3d. House bills, &c., returned from the Senate with amendments, in the order in which they were transferred to the calendar.

4th. Senate bills, &c., in the same order.

5th. Engrossed House bills, &c., in the order in which they passed to their engrossment.

6th. House bills, &c.,on their second reading, in the order in which they are numbered.

50. It shall be the duty of the clerk to see that the printing and engrossing, when ordered, shall be done in such time that the bills, &c., may be acted upon according to their priorities upon the calendar. If, however, any bill, &c., shall not be ready when it is reached upon the calendar, it shall be passed by, and be allowed to retain its place upon the calendar.

51. When the calendar has been called through, it may be called again in order to dispose of any business that may be ready, and if there be none such, the business of the morning hour shall be resumed and disposed of; but the business of the calendar shall in no case be allowed to interfere with that of the morning hour without the unanimous consent of the members present.

52. The regular order of business herein established shall not be changed, nor shall any special order be made, except by a vote of two-thirds of the members present; but a majority may postpone the calendar not exceeding one day at a time, or may pass by any subject coming up in order, without changing its place, or may agree to a joint order with the Senate, or may postpone or discharge any special order.

V.

CONDUCT OF BUSINESS—ORDER AND DECORUM.

53. The Speaker shall preserve order and decorum; may speak to points of order in preference to

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other members, rising from his seat for that purpose, and shall decide questions of order without debate, subject to an appeal to the House. If the decision relate to a question of decorum or propriety of conduct, it shall not be debatable: if it relate to the priority of business, or the relevancy or applicability of propositions, the appeal may be debated, but no member shall speak on it more than once, except by leave of the House.

54. When a member rises to speak, he shall respectfully address "MR. SPEAKER," standing in his place; he shall continue himself strictly to the question before the House, and when he has finished he shall sit down.

55. When two or more members rise at the same time, the Speaker shall name the person to speak; but in all cases the member who shall first rise and address the chair shall speak first.

56. Every motion or proposition shall be reduced to writing, if desired by the Speaker or any member, and shall be delivered in at the clerk's table, to be there read; and the question shall be stated by the chair before the same shall be debated. When the reading of any paper in possession of the House, and not being the precise matter upon which the House is acting, is called for, and objection is made by any member, the question shall be determined by a vote of the House without debate. Any motion or proposition may be withdrawn by the mover at any time before a decision, amendment, or other action of the body upon it, except a motion to reconsider, which shall not be withdrawn without leave of the House.

57. No member shall in debate use any language or gesture calculated to wound, offend, or insult another member.

58. If any member, in speaking, transgress the rules of the House, the Speaker shall, or any member may, call to order; in which case the member

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called to order shall immediately take his seat, unless permitted to explain. If there be no appeal the decision of the chair shall be submitted to. If the decision be in favor of the member called to order, he shall be at liberty to proceed; if otherwise, he shall not proceed, except by leave of the House. For flagrant or repeated violations of order, especially if persisted in after the admonition of the Speaker, a member shall be liable to the censure of the House.

59. If any member be called to order by another member for words spoken, the words excepted to shall be immediately taken down in writing, in order that the Speaker and House may be better able to judge the matter.

60. No member shall, while the House is sitting, interrupt or hinder its business by standing up, leaving his place, moving about the hall, engaging in conversation, expressing approval or disapproval of any of the proceedings, or by any other conduct tending to disorder and confusion.

61. In any one debate on the same question, no member shall speak more than once till all others have spoken who desire to do so, nor more than twice, without the consent of a majority of the members present.

ASCERTAINING THE QUESTION.

62. If the question for decision include several distinct propositions, any member may have the same divided; but a motion to strike out and insert shall not be so divided, nor shall a motion to strike out being lost, preclude either amendment or a motion to strike out and insert. In filling blanks the question shall be put first upon the largest sum and the longest time. No motion or proposition, or a subject different from that under consideration, shall be admitted under color of amendment.

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63. When a question is before the House no motion shall be received, unless specially provided for, except to adjourn, to pass by, to lay upon the table, to postpone for a specified time or purpose, to commit or amend, to dismiss; which several motions shall have precedence in the order in which they are arranged. If the motion to pass by, or to lay upon the table, or to postpone, shall prevail, a motion to print shall be in order before proceeding to the consideration of another subject; but shall be decided without debate.

64. Upon the motion to pass by, the mover shall be allowed two minutes to state the reason for his motion, and one member opposed to the motion shall be allowed a like time to object. The motion to pass by, to lay upon the table, for the previous question, and for the pending question, shall not be debated; nor shall debate be allowed on a motion to take up a subject from the table or to reconsider any question which was not debatable. When a question not debatable is before the House, all incidental questions arising after it is stated to the House shall be decided and settled, whether on appeal or otherwise, without debate; and the same rule shall apply to incidental questions arising after any question is put to the House.

PENDING AND PREVIOUS QUESTIONS.

65. Pending a debate, any member who obtains the floor for that purpose only, and submits no other motion or remark, may move for "the previous question" or "the pending question"; and in either case the motion shall be forthwith put to the House. Two-thirds of the members present shall be required to order the main question; but a majority may require an immediate vote upon the pending question, whatever it may be.

66. The previous question shall be in this form:

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"Shall the main question now be put?" If carried, its effect shall be to put an end to all debate and bring the House to a direct vote upon a motion to commit, if pending; then upon amendments reported by a committee, if any; then upon pending amendments, and then upon the main question. If upon the motion for the previous question the main question be not ordered, debate may continue as if the motion had not been made.

TAKING THE VOTE.

67. The Speaker shall rise to put a question, but may state it sitting. Questions shall be distinctly put in the following form—viz: "As many as agree that, &c. (as the question may be), say AYE;" and after the affirmative vote is given, "Those opposed, say "No." If the Speaker doubts, or a division is called for, the House shall divide—those in the affirmative of the question rising first from their seats, and afterwards those in the negative. If required, the Speaker shall cause the result to be ascertained by a count.

68. The yeas and nays on any question may be called for at any time before proceeding to another question or proposition, but being once refused, they shall not be again demanded on the same question; and any member shall have a right to vote at any time before the decision is announced by the chair.

69. Upon a division of the House on any question, a member who is present and fails to vote shall, on the demand of any other member, be counted on the negative of the question; and when the yeas and nays are taken, shall, in addition, be entered upon the journal as present and not voting. But no member who has an immediate and special personal interest in the result of the question shall either vote or be counted upon it.

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RECONSIDERATION.

70. When a question has been decided it may be reconsidered on the motion of any member who voted with the prevailing side; provided it be made on the same day or within the next two days of actual session. The motion may be entered as a matter of privilege, and shall take precedence of everything except special orders and other questions of privilege, and be disposed of in the morning hour or with the calendar, as the case may be. All motions to reconsider shall be decided by a majority of the votes of the members present.

BILLS &C.

71. Every bill shall receive three several readings in the House previous to its being passed, and it shall be destinctly announced at each reading whether it is first, second, or third time.

72. The first reading of a bill shall be for information merely, and it shall go to second reading without a question.

73. Upon the second reading of a bill, it shall be open to amendment or commitment or to any of the motions provided for in Rule 63; and the final question shall be, "Whether it shall be engrossed and read a third time?"

74. A bill ordered to be engrossed shall not have its third reading until the engrossment is actually and properly done; but, in the case of a Senate bill, the engrossment shall only apply to such amendments as may have been made in the House.

75. No amendment to a bill shall be received upon its third reading by way of rider or otherwise; and no amendment involving an additional appropriation shall be added to the general appropriation bill, unless to carry into effect an existing

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law, or unless it receives the vote required to pass the bill itself. But a bill may, at any time before its passage, be committed or recommitted, and when reported back shall be placed on the calendar, and if amended, shall, whether on its second or third reading, be engrossed, as may be necessary.

76. On the third reading of a bill, the question shall be, "Shall the bill pass?

77. The title of a bill, and such parts thereof only as shall be effected by the proposed amendments, shall be entered upon the journal.

78. Joint resolutions intended to have the force and effect of law, or to express the opinions, wishes, or purpose of the General Assembly upon any matter not connected with the preparation, direction, or conduct of its business, shall be introduced, considered, and disposed of in all respects as provided in regard to bills.

PETITIONS.

79. Petitions of private nature, once rejected, shall not be heard again unless upon new evidence, and not oftener than once under any circumstances.

80. If a petition or memorial relate to a subject of local interest, as the division of a county, the establishment of a ferry, or the like, it shall not be allowed until it shall appear that the intention to present such a petition or memorial has been duly and fairly made known to the community to be affected.

81. If it relate to a matter of private right or interest, it shall appear that the parties to be affected have had notice at least equal to that required by law in regard to matters to be transacted in a court of justice.

82. No petition shall be allowed claiming a sum of money or praying the settlement of unliquidated accounts alleged to be due from the State, unless it be accompanied by a certificate of the executive

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or auditor stating why the claim has not been allowed and paid.

83. The same objections shall apply to acting upon such matters by bill or resolution without petition or memorial; and the several committees of the House will be charged with the duty of reporting specially on these points in connection with any action proposed to be taken on such subjects.

84. Original papers filed as exhibits with any petition, may be withdrawn by the petitioner, or upon his order, or his leaving attested copies, for which he shall pay the clerk at the rate provided by law for other copies made by him.

MESSAGES.

85. It shall be the duty of the clerk, without any special order therefor, to communicate to the Senate any action of the House upon business coming from the Senate, or upon matters requiring the concurrence of that body; but no such communication shall be made in relation to any action of the House while it remains open for consideration.

MANUAL AND RULES.

86. The rules of parliamentary practice comprised in Jefferson's Manual shall govern the House in all cases to which they are applicable, and in which they are not inconsistent with the rules of the House and such joint rules as are or may from time to time be established by the two Houses of the General Assembly.

87. The rules of the House shall not be changed or suspended, except by a vote of two-thirds of the members present, to be ascertained by an actual division of the House; and upon a motion to sus-

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pend a rule of the House, the mover shall be allowed two minutes to state the reasons for his motion, and one member opposed to the motion shall be allowed a like time to object.

HALL OF THE HOUSE OF DELEGATES.

88. During the session of the Legislature the hall of the House of Delegates shall be used for no other purpose than the regular sessions of the House, and for meetings of the committees and members of the legislature on public affairs.

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CONSTITUTION.

Whereas the delegates and representatives of the good people of Virginia, in convention assembled, on the twenty-ninth day of June, in the year of our Lord one thousand seven hundred and seventy-six, reciting and declaring, that whereas George the Third King of Great Britain and Ireland, and elector of Hanover, before that time entrusted with the exercise of the kingly office in the government of Virginia, had endeavored to pervert the same into a detestable and insupportable tyranny, by putting his negative on laws the most wholesome and necessary for the public good; by denying his governors permission to pass laws of immediate and pressing importance, unless suspended in their operation for his assent, and when so suspended, neglecting to attend to them for many years; by refusing to pass certain other laws unless the persons to be benefitted by them would relinquish the inalienable right of representation in the legislature; by dissolving legislative assemblies, repeatedly and continually, for opposing with manly firmness his invasions of the rights of the people; when dissolved, by refusing to call others for a long space of time, thereby leaving the political system without any legislative head; by endeavoring to prevent the population of our country, and for that purpose obstructing the laws for naturalization of foreigners; by keeping among us, in time of peace, standing armies and ships of war; by effecting to render the mili-

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tary independent of, and superior to the civil power; by combining with others to subject us to a foreign jurisdiction, giving his assent to their pretended acts of legislation for quartering large bodies of armed troops among us; for cutting off our trade with all parts of the world; for imposing taxes on us without our consent; for depriving us of the benefit of trial by jury; for transporting us beyond the seas for trial for pretending offenses; for suspending our own legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever; by plundering our seas, ravaging our coasts, burning our towns, and destroying the lives of our people; by inciting insurrection of our fellow-subjects with the allurements of forfeiture and confiscation; by prompting our negroes to rise in arms among us—those very negroes whom, by an inhuman use of his negative, he had refused us permission to exclude by law; by endeavoring to bring on the inhabitants of our frontiers the merciless Indian savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes, and conditions of existence; by transporting hither a large army of foreign mercenaries to complete the work of death, desolation, and tyranny, then already begun, with circumstances of cruelty and perfidy unworthy the head of a civilized nation; by answering our repeated petitions for redress with a repetition of our injuries: and finally, by abandoning the helm of government and declaring us out of his allegience and protection—by which several acts of misrule the government of this country as before exercised under the crown of Great Britain, was totally dissolved—did, therefore, having maturely considered the premises, and viewing with great concern the deplorable condition to which this once happy country would be reduced unless some regular, adequate mode of civil policy should be speedily adopted, and in compli-

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ance with the recommendation of the general congress, ordain and declare a form of government of Virginia;

And whereas a convention, held on the first Monday in October, in the year one thousand eight hundred and twenty-nine, did propose to the people of this Commonwealth an amended constitution or form of government, which was ratified by them;

And whereas the General Assembly of Virginia, by an act passed on the fourth of March in the year one thousand eight hundred and fifty, did provide for the election, by the people, of delegates to meet in general convention, to consider, discuss, and propose a new constitution, or alternations and amendments to the existing constitution of this Commonwealth; and by an act passed on the thirteenth of March, in the year one thousand eight hundred and fifty-one, did further provide for submitting the same to the people for ratification or rejection, and the same having been submitted accordingly was ratified by them;

And whereas the General Assembly of Virginia, by an act passed on the twenty-first day of December, in the year one thousand eight hundred and sixty-three, did provide for the election, by the people, of delegates to meet in general convention, to consider, discuss, and adopt alternations and amendments to the existing constitution of this Commonwealth, the Delegates so assembled did, therefore, having maturely considered the premises, adopt a revised and amended constitution as the form of government of Virginia;

And whereas the Congress of the United States did by an act passed on the second day of March, in the year one thousand eight hundred and sixty-seven, and entitled "An act to provide for the more efficient government of the rebel States," and by acts supplementary thereto passed on the twenty-third day of March and the nineteenth day of July,

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in the year one thousand eight hundred and sixty-seven, provide for the election, by the people of Virginia qualified to vote under the provisions of said acts, of delegates to meet in convention to frame a constitution or form of government for Virginia in conformity with said acts; and by the same acts did further provide for the submitting of such constitution to the qualified voters for ratification or rejection;

We, therefore, the delegates of the good people of Virginia, elected and in convention assembled, in pursuance of said act, invoking the favor and guidance of Almighty God, do propose to the people the following constitution and form of government for this Commonwealth:

ARTICLE I.

BILL OF RIGHTS.

A declaration of rights made by the representatives of the good people of Virginia assembled in full and free convention; which rights do pertain to them and their posterity as the basis and foundation of government.

1. That all men are by nature equally free and independent, and have certain inherent rights, of which, when they enter into a state of society, they cannot by any compact, deprive or divest their posterity, namely, the enjoyment of life and liberty, with the means of acquiring and possessing property and pursuing and obtaining happiness and safety.

2. That this State shall ever remain a member of the United States of America, and that the people thereof are a part of the American nation, and that all attempts, from whatever source or upon whatever pretext, to dissolve said union or to sever said

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nation, are unauthorized and ought to be resisted with the whole power of the State.

3. That the Constitution of the United States and the laws of Congress passed in pursuance thereof, constitute the supreme law of the land, to which paramount allegiance and obedience are due from every citizen, anything in the constitution, ordinances, or laws of any State to the contrary notwithstanding.

4. That all power is vested in, and consequently derived from, the people; that magistrates are their trustees and servants, and at all times amenable to them.

5. That government is, or ought to be instituted for the common benefit, protection, and security of the people, nation, or community; of all the various modes and forms of government, that is best which is capable of producing the greatest degree of happiness and safety, and is most effectually secured against the danger of maladministration; and that when any government shall be found inadequate or contrary to these purposes, a majority of the community hath an indubitable, inalienable, and indefeasible right to reform, alter, or abolish it, in such manner as shall be judged most conducive to the public weal.

6. That no man or set of men are entitled to exclusive or separate emoluments or privileges from the community but in consideration of public services; which not being descendible, neither ought the offices of magistrate, legislator, or judge to be hereditary.

7. That the legislative, executive, and judicial powers should be separate and distinct; and that the members thereof may be restrained from oppression, by feeling and participating the burthens of the people, they should, at fixed periods, be reduced to a private station, return into that body from which they were originally taken, and the

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vacancies be supplied by frequent, certain, and regular elections, in which all or any part of the former members to be again eligible or ineligible, as the laws shall direct.

8. That all elections ought to be free, and that all men having sufficient evidence or permanent common interest with, and attachment to the community, have the right of suffrage, and cannot be taxed or deprived of their property for public uses without their own consent or that of their representatives so elected, nor bound by any law to which they have not in like manner assented for the public good.

9. That all power of suspending laws, or the execution of laws by any authority, without consent of the representatives of the people, is injurious to their rights, and ought not to be exercised.

10. That in all capital or criminal prosecutions, a man hath a right to demand the cause and nature of his accusation, to be confronted with the accusers and witnesses, to call for evidence in his favor, and to a speedy trial by an impartial jury of his vicinage, without whose unanimous consent he cannot be found guilty; nor can he be compelled to give evidence against himself; that no man be deprived of his liberty except by the law of the land or the judgment of his peers.

11. That excessive bail ought not to be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted.

12. That general warrants, whereby an officer or messenger may be commanded to search suspected places without evidence of a fact committed, or to seize any person or persons not named, or whose offence is not particularly described and supported by evidence, are grievous and oppressive, and ought not to be granted.

13. That in controversies respecting property, and in suits between man and man, the trial by

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jury is preferable to any other, and ought to be held sacred.

14. That the freedom of the press is one of the great bulwarks of liberty, and can never be restrained but by despotic governments, and any citizen may speak, write and publish his sentiments on all subjects, being responsible for the abuse of that liberty.

15. That a well-regulated militia, composed of the body of the people trained to arms, is the proper, natural, and safe defence of a free state; that standing armies, in time of peace, should be avoided as dangerous to liberty, and that in all cases the military should be under strict subordination to, and governed by the civil power.

16. That the people have a right to uniform government; and therefore, that no government seperate from or independent of the government of Virginia ought to be erected or established within the limits thereof.

17. That no free government or the blessings of liberty can be preserved to any people but by a firm adherence to justice, moderation, temperance, and virtue, and by a frequent recurrence to fundamental principles.

18. That religion, or the duty which we owe to our Creator, and the manner of discharging it, can be directed only by reason and conviction, not by force or violence; and, therefore, all men are equally entitled to the free exercise of religion according to the dictates of conscience; and that it is the mutual duty of all to practice Christian forbearance, love, and charity towards each other.

19. That neither slavery nor involuntary servitude, except as lawful imprisonment may constitute such, shall exist within this State.

20. That all citizens of the State are hereby declared to possess equal civil and political rights.

21. The rights enumerated in this bill of rights

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shall not be construed to limit other rights of the people not therein expressed.

The declaration of the political rights and privileges of the inhabitants of this State is hereby declared to be a part of the Constitution of this Commonwealth, and shall not be violated on any pretense whatever.

ARTICLE II.

DIVISION OF POWERS.

The legislative, executive, and judiciary department shall be separate and distinct, so that neither exercise the powers properly belonging to either of the others; nor shall any person exercise the power of more than one of them at the same time, except as hereinafter provided.

ARTICLE III.

ELECTIVE FRANCHISE AND QUALIFICATIONS FOR OFFICE.

SEC. 1. Every male citizen of the United States, twenty-one years old, who shall have been a resident of the State twelve months, and of the county, city, or town in which he shall offer to vote, three months next preceding any election, shall be entitled to vote for members of the General Assembly and all officers elected by the people: provided that no officer, soldier, seaman, or marine of the United States army or navy shall be considered a resident of this State by reason of being stationed therein: and provided also, that the following persons shall be excluded from voting:

First. Idiots and lunatics.

Second. Persons convicted of bribery in any election, embezzlement of public funds, treason, felony, or petit larceny.

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Third. No person who, while a citizen of this State, has since the adoption of this Constitution, fought a duel with a deadly weapon, sent or accepted a challenge to fight a duel with a deadly weapon, either within or beyond the boundaries of this State, or knowingly conveyed a challenge, or aided or assisted in any manner in fighting a duel, shall be allowed to vote or hold any office of honor, profit, or trust under this Constitution.

SEC. 2. All elections shall be by ballot, and all persons entitled to vote shall be eligible to any office within the gift of the people, except as restricted in this constitution.

SEC. 3. All persons entitled to vote and hold office, and none others, shall be eligible to sit as jurors.

SEC. 4. No voter, during the time of holding any election at which he is entitled to vote, shall be compelled to perform military service, except in time of war or public danger, to work upon public roads, or to attend any court as suitor, juror, or witness; and no voter shall be subject to arrest under any civil process during his attendance at elections, or in going to or returning from them.

Oath of office.

SEC. 5. All persons, before entering upon the discharge of any function as officers of this State, must take and subscribe the following oath or affirmation:

"I, ——— ———, do solemnly swear (or affirm) that I will support and maintain the Constitution and laws of the United States and the Constitution and laws of the State of Virginia; that I recognize and accept the civil and political equality of all men before the law, and that I will faithfully perform the duty of ——— to the best of my ability. So help me God."

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ARTICLE IV.

EXECUTIVE DEPARTMENT.

Governor.

SEC. 1. The chief executive power of this Commonwealth shall be vested in a governor. He shall hold office for a term of four years, to commence on the first day of January next succeeding his election, and be ineligible to the same office for the term next succeeding that for which he was elected, and to any other office during his term of service.

SEC. 2. The governor shall be elected by the voters at the times and places of choosing members of the General Assembly. Returns of elections shall be transmitted, under seal, by the proper officers to the secretary of the Commonwealth, who shall deliver them to the Speaker of the House of Delegates on the first day of the next session of the General Assembly. The speaker of the House of Delegates shall, within one week thereafter, in presence of a majority of the Senate and House of Delegates, open the said returns, and the votes shall then be counted. The person having the highest number of votes shall be declared elected; but if two or more shall have the highest and an equal number of votes, one of them shall be chosen governor by the joint vote of the two houses of the General Assembly. Contested elections for governor shall be decided by a like vote, and the mode of proceeding in such cases shall be prescribed by law.

SEC. 3. No person except a citizen of the United States shall be eligible to the office of governor; and if such person be of foreign birth, he must have been a citizen of the United States for ten

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years next preceding his election; nor shall any person be eligible to that office unless he shall have attained the age of thirty years, and have been a resident of this State for three years next preceding his election.

SEC. 4. The governor shall reside at the seat of government; shall receive five thousand dollars for each year of his service, and while in office shall receive no other emolument from this or any other government.

SEC. 5. He shall take care that the laws be faithfully executed; communicate to the General Assembly at every session the condition of the Commonwealth; recommended to their consideration such measures as he may deem expedient, and convene the General Assembly on application of two-thirds of the members of both houses thereof, or when, in his opinion, the interest of the Commonwealth may require it. He shall be commander-in-chief of the land and naval forces of the State; have power to embody the militia to repel invasion, suppress insurrection, and enforce the execution of the laws: conduct, either in person or in such manner as shall be prescribed by law, all intercourse with other and foreign States; and during the recess of the General Assembly, to fill, *pro tempore*, all vacancies in those offices for which the constitution and laws make no provision; but his appointments to such vacancies shall be by commissions, to expire at the end of thirty days after the commencement of the next session of the General Assembly. He shall have power to remit fines and penalties in such cases, and under such rules and regulations as may be prescribed by law, and except when the prosecution has been carried on by the House of Delegates, to grant reprieves and pardons after conviction; to remove political disabilities consequent upon conviction for offences committed prior or subsequent to the adoption of

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this constitution, and to commute capital punishment; but he shall communicate to the General Assembly, at each session, particulars of every case of fine or penalty remitted, of reprieve or pardon granted, and of punishment commuted, with his reason for remitting, granting, or commuting the same.

SEC. 6. He may require information, in writing, from the officers in the executive department upon any subject relating to the duties of their respective offices; and may also require the opinion, in writing, of the attorney-general upon any question of law connected with his duties.

SEC. 7. Commissions and grants shall run in the name of the Commonwealth of Virginia, and be attested by the governor, with the seal of the Commonwealth annexed.

SEC. 8. Every bill which shall have passed the Senate and House of Delegates, and every resolution requiring the assent of both branches of the General Assembly, shall, before it becomes a law, be presented to the governor; if he approves, he shall sign it; but if not, he shall return it, with his objections, to the house in which it shall have originated, who shall enter the objections at large on their journal and proceed to reconsider it. If, after such consideration, two-thirds of the members present shall agree to pass the bill or joint resolution, it shall be sent, together with the objections, to the other house, by which it shall likewise be reconsidered, and if approved by two-thirds of all the members present, it shall become a law, notwithstanding the objections of the governor. But in all such cases the votes of both houses shall be determined by ayes and noes, and the names of the members voting for and against the bill or joint resolution shall be entered on the journal of each house respectively. If any bill or resolution shall not be returned by the governor within five days

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(Sundays excepted) after it shall have been presented to him, the same shall be a law in like manner as if he had signed it, unless the Legislature shall, by their adjournment, prevent its return, in which case it shall not be a law.

Lieutenant-Governor.

SEC. 9. A lieutenant-governor shall be elected at the same time and for the same term as the governor, and his qualification and the manner of his election, in all respects, shall be the same.

SEC. 10. In case of the removal of the governor from office, or of his death, failure to qualify, resignation, removal from the State, or inability to discharge the powers and duties of the office, the said office, with its compensation, shall devolve upon the lieutenant-governor; and the General Assembly shall provide by law for the discharge of the executive functions in other necessary cases.

SEC. 11. The lieutenant-governor shall be president of the Senate, but shall have no vote except in case of an equal division; and while acting as such shall receive a compensation equal to that allowed to the Speaker of the House of Delegates.

Secretary of the Commonwealth, Treasurer, and Auditor.

SEC. 12. A secretary of the Commonwealth, treasurer, and auditor of public accounts shall be elected by the joint vote of the two houses of the General Assembly, and continue in office for the term of two years, unless sooner relieved. The salary of each shall be determined by law.

SEC. 13. The secretary shall keep a record of the official acts of the governor, which shall be signed by the governor and attested by the secretary; and when required, he shall lay the same, and any

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papers, minutes, and vouchers pertaining to his office, before either house of the General Assembly; and shall perform such other duties as may be prescribed by law. All fees received by the secretary shall be paid into the treasury.

SEC. 14. The powers and duties of the treasurer and auditor shall be such as are now or may hereafter be prescribed by law.

SEC. 15. There may be established in the office of the secretary of State a bureau of statistics, and a bureau of agriculture, chemistry, and geology, under such regulations as may be prescribed by law.

SEC. 16. The General Assembly shall have power to establish a bureau of agriculture and immigration under such regulations as may be prescribed.

Board of Public Works.

SEC. 17. There shall be a board of public works, to consist of the governor, auditor, and treasurer of the Commonwealth, under such regulations as may be prescribed by law.

ARTICLE V.

LEGISLATIVE DEPARTMENT.

SEC. 1. The legislative power of this Commonwealth shall be vested in a General Assembly, which shall consist of a Senate and House of Delegates.

SEC. 2. The House of Delegates shall be elected biennially by the voters of the several cities and counties on the Tuesday succeeding the first Monday in November, and shall from and after the Tuesday succeeding the first Monday in November, eighteen hundred and seventy-nine, consist of not more than one hundred and not less than ninety members.

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SEC. 3. From and after the same date the Senate shall consist of not less than thirty-three nor more than forty members. They shall be elected for the term of four years—for the election of whom the counties, cities, and towns shall be divided into districts. Each county, city, and town of the respective districts shall, at the time of the first election of its delegate or delegates under this amendment, vote for one or more senators. The Senators first elected under this amendment in districts bearing odd numbers shall vacate their offices at the end of two years; and those elected in districts bearing even numbers at the end of four years; and vacancies occuring by expiration of term shall be filled by the election of senators for the full term.

SEC. 4. An apportionment of senators and members of the House of Delegates shall be made at the regular session of the General Assembly next preceding the Tuesday after the first Monday in November, eighteen hundred and seventy-nine, or sooner. A reapportionment shall be made in the year eighteen hundred and ninety-one, and every tenth year thereafter.

Qualifications of Senators and Delegates.

SEC. 5. Any person may be elected senator who, at the time of election, is actually a resident within the district, and qualified to vote for members of the General Assembly according to this Constitution; and any person may be elected a member of the House of Delegates who, at the time of election, is actually a resident within the county, city, town, or election district, qualified to vote for members of the General Assembly according to this Constitution. But no person holding a salaried office under the State government shall be capable of being elected a member of either house of the

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General Assembly. The removal of any person elected to either branch of the General Assembly from the city, county, town, or district for which he was elected, shall vacate his office.

Powers and Duties of the General Assembly.

SEC. 6. The General Assembly shall meet once in two years, and not oftener, unless convened by the Governor in the manner prescribed in this Constitution. No session of the General Assembly, after the first under this amendment, shall continue longer than ninety days without the concurrence of three-fifths of the members elected to each house; in which case the session may be extended for a further period, not exceeding thirty days. Neither house during the session of the General Assembly shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting. A majority of the members elected to each house shall constitute a quorum to do business; but a smaller number may adjourn from day to day, and shall have power to compel the attendance of absent members in such manner and under such penalty as each house may prescribe.

SEC. 7. The House of Delegates shall choose its own speaker; and in the absence of the lieutenant-governor, or when he shall exercise the office of governor, the Senate shall choose from their own body a president *pro tempore;* and each house shall appoint its own officers, settle its own rules of proceeding, and direct writs of election for supplying intermediate vacancies, but if vacancies shall occur during the recess of the General Assembly, such writs may be issued by the Governor, under such regulations as may be prescribed by law. Each house shall judge of the election, qualification, and returns of its members; may punish them for dis-

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orderly behavior, and, with the concurrence of two-thirds, expel a member.

SEC. 8. The members of the General Assembly shall receive for their services a salary, to be ascertained by law and paid out of the public treasury; but no act increasing such salary shall take effect until after the end of the term for which the members of the House of Delegates voting thereon were elected: and no senator or delegate, during the term for which he shall have been elected, shall be appointed to any civil office of profit under the Commonwealth which has been created, or the emoluments of which have been increased during such term, except offices filled by election by the people.

SEC. 9. Bills and resolutions may originate in either of the two houses of the General Assembly, to be approved or rejected by either, and may be amended by either house, with the consent of the other.

SEC. 10. Each house of the General Assembly shall keep a journal of its proceedings, which shall be published from time to time; and the yeas and nays of the members of either house on any question shall at the desire of one-fifth of those present, be entered on the journal. No bill shall become a law until it has been read on three different days of the session in the house in which it originated, unless two-thirds of the members in that house shall otherwise determine.

SEC. 11. The members of the General Assembly shall in all cases except treason, felony, or breach of the peace, be privileged from arrest during the session of their respective houses; and for any speech or debate in either house they shall not be questioned in any other place. They shall not be subject to arrest, under any civil process, during the sessions of the General Assembly, nor for

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fifteen days next before the convening and after the determination of each session.

SEC. 12. The whole number of members to which the State may at any time be entitled in the House of Representatives of the United States shall be appointed, as nearly as may be, amongst the several counties, cities, and towns of the State according to their population.

SEC. 13. In the apportionment, the State shall be divided into districts corresponding in number with the representatives to which it may be entitled in the House of Representatives of the Congress of the United States, which shall be formed, respectively, of contiguous counties, cities and towns; be compact, and include, as nearly as may be, an equal number of population.

SEC. 14. The privilege of the writ of *habeas corpus* shall not be suspended unless when, in cases of invasion or rebellion, the public safety may require it. The General Assembly shall not pass any bill of attainder, or any *ex post facto* law, or any law impairing the obligation of contracts, or any law whereby private property shall be taken for public uses without just compensation, or any law abridging the freedom of speech or of the press. No man shall be compelled to frequent or support any religious worship, place, or ministry whatsoever, nor shall any man be enforced, restrained, molested, or burthened in his body or goods, or otherwise suffer on account of his religious opinions or belief, but all men shall be free to profess, and by argument to maintain, their opinion in matters of religion, and the same shall in no wise affect, diminish or enlarge their civil capacities. And the General Assembly shall not prescribe any religious test whatever, or confer any peculiar privileges or advantages on any sect or denomination, or pass any law requiring or authorizing any religious society, or the people of any district within this

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Commonwealth to levy on themselves or others any tax for the erection or repair of any house of public worship, or for the support of any church or ministry, but it shall be left free to every person to select his religious instructor, and to make for his support such private contract as he shall please.

SEC. 15. No law shall embrace more than one object, which shall be expressed in its title, nor shall any law be revived or amended with reference to its title, but the act revived, or the section amended, shall be re-enacted and published at length.

SEC. 16. The governor, lieutenant-governor, judges, and all others offending against the State by maladministration, corruption, neglect of duty, or other high crime or misdemeanor, shall be impeachable by the House of Delegates, and be prosecuted before the Senate, which shall have the sole power to try impeachment. When sitting for that purpose they shall be on oath or affirmation, and no person shall be convicted without the concurrence of two-thirds of the members present. Judgment in case of impeachment shall not extend further than to removal from office and disqualification to hold and enjoy any office of honor, trust, or profit under the Commonwealth; but the party convicted shall nevertheless, be subject to indictment, trial, judgment, and punishment according to law. The Senate may sit during the recess of the General Assembly for the trial of impeachment.

SEC. 17. The General Assembly shall not grant a charter of incorporation to any church or religious denomination, but may secure the title to church property to an extent to be limited by law.

SEC. 18. No lottery shall hereafter be authorized by law; and the buying, selling, or transferring of tickets or chances in any lottery shall be prohibited.

SEC. 19. No new county shall be formed with an

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area of less than six hundred square miles; nor shall the county or counties from which it is formed be reduced below that area; nor shall any county having a population less than ten thousand, be deprived of more than one-fifth of such population; nor shall a county having a larger population, be reduced below eight thousand. But any county, the length of which is three times it means breadth, or which he exceeds fifty miles in length, may be divided at the discretion of the General Assembly. In all general elections the voters in any county not entitled to separate representation, shall vote in the same election district.

SEC. 20. The General Assembly shall confer on the courts the power to grant divorces, change the names of persons, and direct the sale of estates belonging to infants and other persons under legal disabilities, but shall not, by special legislation, grant relief in such cases, or in any other case of which the courts or other tribunals may have jurisdiction.

SEC. 21. The General Assembly shall provide for the annual registration of births, marriages, and deaths.

SEC. 22. The manner of conducting and making returns of elections, of determining contested elections, and of filling vacancies in office, in cases not specially provided for by this Constitution, shall be prescribed by law, and the General Assembly may declare the cases in which any office shall be deemed vacant, where no provisions is made for that purpose in this Constitution.

SEC. 23. The Legislature shall have power to provide for the government of cities and towns, and to establish such courts therein as may be necessary for the administration of justice.

SEC. 24. The General Assembly shall have power, by a two-thirds vote, to remove disabilities incurred

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under clause third, section one, article third, of this Constitution, with reference to duelling.

ARTICLE VI.

JUDICIARY DEPARTMENT.

SEC. 1. There shall be a supreme court of appeals, circuit courts, and county courts. The jurisdiction of these tribunals, and the judges thereof, except so far as the same is conferred by this Constitution, shall be regulated by law.

SEC. 2. The supreme court of appeals shall consist of five judges, any three of whom may hold a court. It shall have appellate jurisdiction only, except in cases of *habeas corpus*, *mandamus*, and prohibition. It shall not have jurisdiction in civil cases where the matter in controversy, exclusive of costs, is less in value or amount than five hundred dollars, except in controversies concerning the title or boundaries of land, the probate of a will, the appointment or qualification of a personal representative, guardian, committee, or curator: or concerning a mill, roadway, ferry, or landing; or the right of a corporation or of a county to levy tolls or taxes, and except in cases of *habeas corpus*, *mandamus*, and prohibition, or the constitutionality of a law: provided that the assent of a majority of the judges elected to the court shall be required in order to declare any law null and void by reason of its repugnance to the Federal Constitution or to the Constitution of this State.

SEC. 3. Special courts of appeals, to consist of not less than three nor more than five judges, may be formed of the judges of the supreme court of appeals and of the circuit courts, or any of them, to try any cases on the docket of said court in respect to which a majority of the judges thereof may be so situated as to make it improper for them to sit on

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the hearing of the same; also to try any cases on the said docket which cannot be otherwise disposed of with convenient dispatch.

SEC. 4. When a judgment or decree is reversed or affirmed by the supreme court of appeals, the reasons thereof shall be stated in writing, and preserved with the records of the case.

SEC. 5. The judges shall be chosen by the joint vote of the two houses of the General Assembly, and shall hold their office for a term of twelve years; they shall, when chosen, have held a judicial station in the United States, or shall have practiced law in this or some other State for five years.

SEC. 6. The officers of the supreme court of appeals shall be appointed by the said court, or by the judges thereof in vacation. Their duties, compensation, and tenure of office shall be prescribed by law.

SEC. 7. The Supreme court of appeals shall hold its session at two or more places in the State, to be fixed by law.

SEC. 8. At every election of a governor, an attorney-general shall be elected by the qualified voters of this Commonwealth. He shall be commissioned by the governor, perform such duties, and receive such compensation as may be prescribed by law, and shall be removable in the manner prescribed for the removal of Judges.

Circuit Courts.

SEC. 9. The State shall be divided into sixteen judicial circuits, as follows:

1. The counties of Norfolk, Princess Anne, Nansemond, Isle of Wight, Southampton, Surry, and the city of Norfolk shall constitute the first circuit.

2. The counties of Sussex, Greenesville, Brunswick, Prince George, Dinwiddie, Nottoway, Ches-

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terfield, and the city of Petersburg shall constitute the second circuit.

3. The counties of Mecklenburg, Lunenburg, Charlotte, Amelia, Powhatan, Prince Edward, Buckingham, and Cumberland shall constitute the third circuit.

4. The counties of Halifax, Pittsylvania, Henry, Patrick, Franklin, and the town of Danville shall constitute the fourth circuit.

5. The counties of Bedford, Campbell, Appomattox Amherst, Nelson, and the city of Lynchburg shall constitute the fifth circuit.

6. The counties of Albemarle, Fluvanna, Culpeper, Goochland, Madison, Green, and Orange shall constitute the sixth circuit.

7. The county of Henrico and the city of Richmond shall constitute the seventh circuit.

8. The counties of Accomac, Northampton, York, Elizabeth City, Warwick, James City, New Kent, Charles City, and the city of Williamsburg shall constitute the eighth circuit.

9. The counties of Lancaster, Northumberland, Mathews, Middlesex, Gloucester, King William, Essex, and King and Queen shall constitute the ninth circuit.

10. The counties of Westmoreland, Spotsylvania, Caroline, Hanover, Stafford, King George, Richmond, and Louisa, shall constitute the tenth circuit.

11. The counties of Loudoun, Fauquier, Fairfax, Prince William, Rappahannock, and Alexandria shall constitute the eleventh circuit.

12. The counties of Frederick, Clarke, Warren, Page, Shenandoah, and Rockingham shall constitute the twelfth circuit.

13. The counties of Augusta, Rockbridge, Bath, Highland, and Alleghany shall constitute the thirteenth circuit.

14. The counties of Botetourt, Roanoke, Mont-

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gomery, Floyd, Giles, and Craig shall constitute the fourteenth circuit.

15. The counties of Carroll, Grayson, Wythe, Pulaski, Bland, and Tazewell shall constitute the fifteenth circuit.

16. The counties of Smyth, Washington, Lee, Scott, Wise, Russell, and Buchanan shall constitute the sixteenth circuit.

SEC. 10. The General Assembly may rearrange said circuits, or any of them, and increase or diminish the number thereof, when the public interests shall require it.

SEC. 11. For each circuit a judge shall be chosen by the joint vote of the two houses of the General Assembly, who shall hold his office for a term of eight years, unless sooner removed in the manner prescribed by this Constitution. He shall when chosen, possess the same qualifications of judges of the supreme court of appeals; and during his continuance in office shall reside in the circuit of which he is judge.

SEC. 12. A circuit court shall be held at least twice a year by the judges of each circuit in every county and corporation thereof wherein a circuit court now is or may hereafter be established. But the judges may be required or authorized to hold the courts of their respective circuits alternately, and the judge of one circuit to hold court in any other circuit.

County Courts.

SEC. 13. In each county of this Commonwealth there shall be a court called the county court, which shall be held monthly by a judge learned in the law of the State, and to be known as the county court judge: provided that counties containing less than eight thousand inhabitants shall be attached to adjoining counties for the formation

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of districts for county judges. County court judges shall be chosen in the same manner as judges of the circuit courts. They shall hold their office for a term of six years, except the first term under this Constitution, which shall be three years and during their continuance in office they shall reside in their respective counties or districts. The jurisdiction of said courts shall be the same as that of the existing county courts, except so far as it is modified by this Constitution or may be changed by law.

Government of Cities and Towns.

SEC. 14. For each city or town in the State containing a population of five thousand, shall be elected, on the joint vote of the two houses of the General Assembly, one city judge, who shall hold a corporation or hustings court of said city or town, as often and as many days in each month as may be prescribed by law, with similar jurisdiction which may be given by law to the circuit courts of this State, and who shall hold his office for a term of six years: provided, that in cities or towns containing thirty thousand inhabitants there may be elected an additional judge to hold courts of probate and record, separate and apart from the corporation or hustings courts, and perform such other duties as shall be prescribed by law.

SEC. 15. Also, the following enumerated officers, who shall be elected by the qualified voters of the said cities or towns: One clerk of the corporation or hustings court, who shall also be the clerk of the circuit court, except in cities or towns containing a population of thirty thousand or more; in which city or town there may be a separate clerk for the circuit court, who shall hold his office for a term of six years.

SEC. 16. One Commonwealth's attorney, who

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shall be the Commonwealth's attorney for the circuit court, and shall hold his office for a term of two years.

SEC. 17. One city sergeant, who shall hold his office for a term of two years.

SEC. 18. One city or town treasurer, whose duties shall be similar to those of county treasurer, and shall hold his office for a term of three years.

SEC. 19. One commissioner of the revenue.

SEC. 20. There shall be chosen by the electors of every city, a mayor, who shall be the chief executive officer thereof, and who shall see that the duties of the various city officers are faithfully performed. He shall have power to investigate their acts, have access to all books and documents in their offices, and may examine them and their subordinates on oath. The evidence given by persons so examined, shall not be used against them in any criminal proceedings. He shall also have power to suspend or remove such officers, whether they be elected or appointed, for misconduct in office or neglect of duty, to be specified in the order of suspension or removal; but no such removal shall be made without reasonable notice to the officer complained of, and an opportunity afforded him to be heard in his defense. All city, town, and village officers whose election or appointment is not provided for by this Constitution, shall be elected by the electors of such cities, towns, and villages, or of some division thereof, or appointed by such authorities thereof as the General Assembly shall designate. All other officers whose election or appointment is not provided for by this Constitution, and all officers whose offices may be hereafter created by law, shall be elected by the people or appointed as the General Assembly may direct. Members of common councils shall hold no other office in cities, and no city officer shall hold a seat in the General Assembly. The General Assembly,

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at its first session after the adoption of this Constitution, shall pass such laws as may be necessary to give effect to the provisions of this article. General laws shall be passed for the organization and government of cities, and no special act shall be passed except in cases where in the judgment of the General Assembly the object of such act cannot be attained by general laws. Nothing in this act shall affect the power of the General Assembly over quarantine, or in regard to the port of Norfolk, or the interest of the State in the lands under water and within the jurisdiction or boundaries of any city, or to regulate the wharves, piers, or slips in any city. All laws or city ordinances in conflict with the provisions of the preceding sections shall be void from and after the adoption of this Constitution.

SEC. 21. All regular elections for city or town officers under this article, shall be held on the fourth Thursday in May, and the officers-elect shall enter upon their duties on the first day of July succeeding.

General Provisions.

SEC. 22. All the judges shall be commissioned by the governor, and shall receive such salaries and allowances as may be determined by law, the amount of which shall not be diminished during their term of office. Their terms of office shall commence on the first day of January next following their appointment; and they shall discharge the duties of their respective offices from their first appointment and qualification under this constitution until their terms begin.

SEC. 23. Judges may be removed from office by a concurrent vote of both houses of the General Assembly, but a majority of all the members elected to each house must concur in such vote, and the

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cause of removal shall be entered on the journal of each house. The judge upon whom the General Assembly may be about to proceed, shall have notice thereof, accompanied by a copy of the causes alleged for his removal, at least twenty days before the day on which either house of the General Assembly shall act thereon.

SEC. 24. Judges of the supreme court of appeals and judges of the circuit courts shall not hold any other office of public trust during their continuance in office.

SEC. 25. Judges, and all other officers elected or appointed, shall continue to discharge the duties of their offices after their terms of service have expired, until their successors have qualified.

SEC. 26. Writs shall run "in the name of the Commonwealth of Virginia," and be attested by the clerks of the several courts. Indictments shall conclude "against the peace and dignity of the Commonwealth."

ARTICLE VII.

COUNTY ORGANIZATIONS.

SEC. 1. There shall be elected by the qualified voters of the county, one sheriff, one attorney for the Commonwealth, who shall also be the Commonwealth's attorney for the circuit court; one county clerk, who shall also be the clerk of the circuit court, except that in counties containing fifteen thousand inhabitants there may be a separate clerk for the circuit court; one county treasurer, and so many commissioners of the revenue as may be provided by law; and there shall be appointed in a manner to be provided by law, one superintendent of the poor and one county surveyor; and there shall also be appointed in the manner provided for in article eight, one superintendent of

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schools. All regular elections for county officers shall be held on the fourth Thursday in May, and all officers elected or appointed under this provision shall enter upon the duties of their offices on the first day of July next succeeding their election, and shall hold their respective offices for the term of four years, except that county and circuit court clerks shall hold office for six years.

SEC. 2. Each county of the State shall be divided into so many compactly located magisterial districts as may be deemed necessary, not less than three: provided, that after these have been formed, no additional districts shall be made containing less than thirty square miles; each magisterial district shall be known as —— magisterial district of —— county. In each district there shall be elected one supervisor, three justices of the peace, one constable, and one overseer of the poor, who shall hold their respective offices for the term of two years. All regular elections for magisterial district officers shall take place on the fourth Thursday in May, and all officers so elected shall enter upon the duties of their respective offices on the first day of July next succeeding their election. The supervisors of the district shall constitute the board of supervisors for that county, whose duty it shall be to audit the accounts of the county, examine the books of the commissioners of the revenue, regulate and equalize the valuation of property, fix the county levies for the ensuing year, and perform any other duties required of them by law.

School Districts.

SEC. 3. Each magisterial district shall be divided into so many compactly located school districts as may be deemed necessary: provided that no school district shall be formed containing less than one hundred inhabitants. In each school district there

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shall be elected or appointed, annually, one school trustee, who shall hold his office three years: provided that at the first election held under this provision, there shall be three trustees elected, whose terms shall be one, two, and three years, respectively.

SEC. 4. The General Assembly, at its first session after the adoption of this Constitution, shall pass such laws as may be necessary to give effect to the provisions of this article. But nothing in this article shall be construed as prohibiting the General Assembly from providing by law for any additional officers in any city or county.

SEC. 5. Sheriffs shall hold no other office. They may be required by law to renew their security, and in default of so doing, their offices shall be declared vacant. Counties shall never be made responsible for the acts of the sheriffs.

ARTICLE VIII.

EDUCATION.

SEC. 1. The General Assembly shall elect in joint ballot, within thirty days after its organization under this Constitution, and every fourth year thereafter, a superintendent of public instruction. He shall have the general supervision of the public free school interest of the State, and shall report to the General Assembly, for its consideration, within thirty days after his election, a plan for a uniform system of public free schools.

SEC. 2. There shall be a board of education, composed of the governor, superintendent of public instruction, and attorney-general, which shall appoint and have power to remove, for cause and upon notice to the incumbents, subject to confirmation by the Senate, all county superintendents of public free schools. This board shall have, regu-

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lated by law, the management and investment of all school funds, and such supervision of schools of higher grades as the law shall provide.

SEC. 3. The General Assembly shall provide by law, at its first session under this Constitution, a uniform system of public free schools, and for its gradual, equal, and full introduction into all the counties of the State by the year 1876, or as much earlier as practicable.

SEC. 4. The General Assembly shall have power, after a full introduction of the public free school system, to make such laws as shall not permit parents and guardians to allow their children to grow up in ignorance and vagrancy.

SEC. 5. The General Assembly shall establish, as soon as practicable, normal schools, and may establish agricultural schools, and such grades of schools as shall be for the public good.

SEC. 6. The board of education shall provide for uniformity of text-books and the furnishing of school-houses with such apparatus and library as may be necessary, under such regulations as may be provided by law.

SEC. 7. The General Assembly shall set apart, as a permanent and perpetual literary fund, the present literary funds of the State, the proceeds of all public lands donated by Congress for public school purposes, of all escheated property, of all waste and unappropriated lands, of all property accuring to the State by forfeiture, and all fines collected for offences committed against the State, and such other sums as the General Assembly may appropriate.

SEC. 8. The General Assembly shall apply the annual interest on the literary fund, the capitation tax provided for by this Constitution for public free school purposes, and an annual tax upon the property of the State of not less than one mill nor more than five mills on the dollar, for the equal benefit

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of all the people of the State, the number of children between the ages of five and twenty-one years in each public free school district being the basis of such division. Provision shall be made to supply children attending the public free schools with necessary text-books in cases where the parent or guardian is unable, by reason of poverty, to furnish them. Each county and public free school district may raise additional sums by a tax on property for the support of the public free schools. All unexpended sums of any one year in any public free school district, shall go into the general school fund for re-division the next year: provided, that any tax authorized by this section to be raised by counties or school districts, shall not exceed five mills on a dollar in any one year, and shall not be subject to re-division, as hereinfore provided in this section.

SEC. 9. The General Assembly shall have power to foster all higher grades of schools under its supervision, and to provide for such purpose a permanent educational fund.

SEC. 10. All grants and donations received by the General Assembly for educational purposes shall be applied according to the terms prescribed by the donors.

SEC. 11. Each city and county shall be held accountable for the destruction of school property that may take place within its limits by incendiaries or open violence.

SEC. 12. The General Assembly shall fix the salaries and prescribe the duties of all school officers, and shall make all needful laws and regulations to carry into effect the public free school system provided for by this article.

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ARTICLE IX.

MILITIA.

SEC. 1. The militia of this State shall consist of all able-bodied male persons between the ages of eighteen and forty-five years, except such persons as hereafter may be exempted by the laws of the United States or of this State; but those who belong to religious societies whose tenets forbid them to carry arms shall not be compelled to do so, but shall pay an equivalent for personal service; and the militia shall be organized, armed and equipped, and trained as the General Assembly may provide by law.

SEC. 2. The Legislature shall provide by law for the encouragement of volunteer corps of the several arms of the service, which shall be classed as the active militia; and all other militia shall be classified as the reserve militia, and shall not be required to muster in time of peace.

ARTICLE X.

TAXATION AND FINANCE.

SEC. 1. Taxation, except as hereinafter provided, whether imposed by the State, county, or corporate bodies, shall be equal and uniform, and all property, both real and personal, shall be taxed in proportion to its value, to be ascertained as prescribed by law. No one species of property from which a tax may be collected, shall be taxed higher than any other species of property of equal value.

SEC. 2. No tax shall be imposed on any of the citizens of this State for the privilege of taking or catching oysters from their natural beds with tongs in the waters thereof; but the amount of sales of

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oysters so taken by any citizen in any one year, may be taxed at a rate not exceeding the rate of taxation imposed upon any other species of property.

SEC. 3. The Legislature may exempt all property used exclusively for State, county, municipal, benevolent, charitable, educational, and religious purposes.

SEC. 4. The General Assembly may levy a tax on income in excess of six hundred dollars per annum, and upon the following licenses, viz: the sale of ardent spirits, theatrical and circus companies, manageries, jugglers, itinerant peddlers, and all other shows and exhibitions for which an entrance fee is required; commission merchants, persons selling by sample, brokers, and pawnbrokers, and all other business which cannot be reached by the *ad valorem* system. The capital invested in all business operations shall be assessed and taxed as other property. Assessments upon all stock shall be according to the market value thereof.

SEC. 5. The General Assembly may levy a tax, not exceeding one dollar per annum, on every male citizen who has attained the age of twenty-one years, which shall be applied exclusively in aid of public free schools; and counties and corporations shall have power to impose a capitation tax, not exceeding fifty cents per annum, for all purposes.

SEC. 6. The General Assembly shall provide for a reassessment of the real estate of this State in the year 1869, or as soon thereafter as practicable, and every fifth year thereafter: provided, in making such assessment, no land shall be assessed above or below its value.

SEC. 7. No debt shall be contracted by this State except to meet casual deficits in the revenue, to redeem a previous liability of the State, to suppress insurrection, repel invasion, or defend the State in time of war.

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SEC. 8. The General Assembly shall provide by law a sinking fund, to be applied solely to the payment and extinguishment of the principal of the State debt, which sinking fund shall be continued until the extinguishment of such State debt; and every law hereafter enacted by the General Assembly creating a debt or authorizing a loan, shall provide a sinking fund for the payment of the same.

SEC. 9. The unfunded debt shall not be funded or redeemed at a value exceeding that established by law at the time said debt was contracted, nor shall and discrimination hereafter be made in paying the interest on State bonds, which shall give a higher actual value to bonds held in foreign countries over the same class of bonds held in this country.

SEC. 10. No money shall be paid out of the State treasury except in pursuance of appropriations made by law; and no appropriation shall ever be made for the payment of any debt or obligation created, in the name of the State of Virginia, by the usurped and pretended State authorities assembled at Richmond during the late war; and no county, city, or corporation shall levy or collect any tax for the payment of any debt created for the purpose of aiding any rebellion against the State or against the United States.

SEC. 11. On the passage of every act which imposes, continues, or revives any appropriation of public trust money or property, or releases, discharges or commutes any claim or demand of the State, the vote shall be determined by ayes and noes, and the names of the persons voting for and against the same shall be entered on the journals of the respective houses, and a majority of all the members elected to each house shall be necessary to give it the force of law.

SEC. 12. The credit of the State shall not be granted to or in aid of any person, association, or corporation.

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SEC. 13. No scrip, certificate, or other evidence of State indebtedness shall be issued except for the redemption of stock previously issued, or for such debts as are expressly authorized in this Constitution.

SEC. 14. The State shall not subscribe to or become interested in the stock of any company, association, or corporation.

SEC. 15. The State shall not be a party to or become interested in any work of internal improvement, nor engage in carrying on any such work, otherwise than in the expenditure of grants to the State of land or other property.

SEC. 16. Every law which imposes, continues, or revives a tax shall distinctly state the tax, and the object to which it is to be applied, and it shall not be sufficient to refer to any other law to fix such tax or object.

SEC. 17. The State shall not assume any indebtedness of the county, borough, nor city, nor lend its credit to the same.

SEC. 8. A full account of the State indebtedness, and an accurate statement of receipts and expenditures of public money, shall be attached to and published with its laws passed at every regular session of the General Assembly.

SEC. 19. The General Assembly shall provide by law for adjusting with the State of West Virginia the proportion of the public debt of Virginia proper to be borne by the State of Virginia and West Virginia, and shall provide that such sum as shall be received from West Virginia shall be applied to the payment of the public debt of the State.

SEC. 20. No other or greater amount of tax or revenue shall at any time be levied than may be required for the necessary expenses of the government or to pay the existing indebtedness of the State.

SEC. 21. The liability to the State of any incor-

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porated company or institution to redeem the principal and to pay the interest of any loan heretofore made by the State to such company or institution, shall not be released or commuted.

ARTICLE XI.

MISCELLANEOUS PROVISIONS.

Homestead and other Exemptions.

SEC. 1. Every householder or head of a family shall be entitled, in addition to the articles now exempt from levy or distress for rent, to hold, exempt from levy, seizure, garnisheeing, or sale under any execution, order, or other process issued on any demand for any debt heretofore or hereafter contracted, his real and personal property, or either, including money and debts due him, whether heretofore or hereafter acquired or contracted, to the value of not exceeding two thousand dollars, to be selected by him: provided that such exemption shall not extend to any execution, order, or other process issued on any demand in the following cases:

1st. For the purchase price of said property or any part thereof.

2d. For services rendered by a laboring person or a mechanic.

3d. For liabilities incurred by any public officer or officer of a court, or any fiduciary, or any attorney at law, for money collected.

4th. For a lawful claim for any taxes, levies, or assessments accuring after the first day of June, 1866.

5th. For rent hereafter accuing.

6th. For the legal or taxable fees of any public officer or officers of a court hereafter accruing.

SEC. 2. The foregoing section shall not be construed as subjecting the property hereby exempted,

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or any portion thereof, to any lien by reason of any execution levied on property which has been subsequently restored to the defendent, or judgment rendered or docketed on or after the 17th day of April, 1861, and before the 2d day of March, 1867, for any debt contracted previous to the 4th day of April, 1864, except debts of the character mentioned in either of the above first three exceptions.

SEC. 3. Nothing contained in this article shall be construed to interfere with the sale of property aforesaid, or any portion thereof, by virtue of any mortgage, deed of trust, pledge, or other security thereon.

SEC. 4. The General Assembly is hereby prohibited from passing any law staying the collection of debts, commonly known as "stay laws;" but this section shall not be construed as prohibiting any legislation which the General Assembly may deem necessary to fully carry out the provisions of this article.

SEC. 5. The General Assembly shall, at its first session under this Constitution, prescribe in what manner and on what conditions the said householder or head of a family shall thereafter set apart and hold for himself and family a homestead out of any property hereby exempted, and may, in its discretion, determine in what manner and on what conditions he may thereafter hold, for the benefit of himself and family, such personal property as he may have, and coming within the exemption hereby made. But this section shall not be construed as authorizing the General Assembly to defeat or impair the benefits intended to be conferred by the provisions of this article.

SEC. 6. An act of the General Assembly, entitled "An act to exempt the homesteads of families from forced sales," passed April 29, 1877 and an act entitled "An act to stay the collection of debts for

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a limited period," passed March 2, 1866 and the acts amendatory thereof, are hereby abrogated.

SEC. 7. The provisions of this article shall be construed liberally, to the end that all the intents thereof may be fully and perfectly carried out.

Church Property.

SEC. 8. The rights of ecclesiastical bodies in and to church property conveyed to them by regular deed of conveyence, shall not be affected by the late civil war, nor by any antecedant or subsequent event, nor by any act of the Legislature purporting to govern the same, but all such property shall pass to and be held by the parties set forth in the original deeds of conveyance, or the legal assignees of such original parties holding through or by conveyance, and any act or acts of the Legislature in opposition thereto shall be null and void.

Heirship of property.

SEC. 9. The children of parents, one or both of whom were slaves at and during the period of co-habitation, and who were recognized by the father as his children, and whose mother was recognized by such father as his wife, and was cohabited with as such, shall be as capable of inheriting any estate whereof such father may have died siezed and possessed, as though they had been born in lawful wedlock.

ARTICLE XII.

FUTURE CHANGES IN THE CONSTITUTION.

SEC. 1. Any amendment or amendments to the Constitution may be proposed in the Senate and House of Delegates, and if the same shall be agreed

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to by a majority of the members elected to each of the two houses, such proposed amendment or amendments shall be entered on their journals, with the ayes and noes taken thereon, and referred to the General Assembly to be chosen at the next general election of senators and members of the House of Delegates, and shall be published for three months previous to the time of making such choice. And if in the next General Assembly so next chosen as aforesaid, such proposed amendment or amendments shall be agreed to by a majority of all the members elected to each house, then it shall be the duty of the General Assembly to submit such proposed amendment or amendments to the people in such manner and at such times as the General Assembly shall prescribe; and if the people shall approve and ratify such amendment or amendments by a majority of the electors qualified to vote for members of the General Assembly voting thereon, such amendment or amendments shall become part of the Constitution.

SEC. 2. At the general election to be held in the year 1888, and in each twentieth year thereafter, and also at such time as the General Assembly may by law provide, the question "Shall there be a convention to revise the Constitution and amend the same? shall be decided by the electors qualified to vote for members of the General Assembly; and in case a majority of the electors so qualified voting at such election shall decide in favor of a convention for such purpose, the General Assembly, at itts next session, shall provide by law for the election of delegates to such convention: provided that no amendment or revision shall be made which shall deny or in any way impair the right of suffrage or any civil or political right as conferred by this Constitution, except for causes which apply to all persons and classes without distinction.

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SCHEDULE.

That no inconvenience may arise from the changes in the Constitution of this State, and in order to carry the same into complete operation, it is hereby declared that—

SEC. 1. The common law and the statute laws now in force not repugnant to this Constitution shall remain in force until they expire by their own limitation or are altered or repealed by the Legislature.

SEC. 2. All writs, actions, causes of actions, prosecutions, and rights of individuals and of bodies corporate and of the State, and all charters of incorporation, shall continue; and all indictments which shall have been found, or which may hereafter be found, for any crime or offence committed before the adoption of this Constitution, may be proceeded upon as if no change had taken place. The several courts, except as herein otherwise provided, shall continue, with the like powers and jurisdiction, both in law and in equity, as if this Constitution had not been adopted, and until the organization of the judicial department of this Constitution.

SEC. 3. That all fines, penalties, forfeitures, and escheats accuring to the State of Virginia under the present Constitution and laws, shall accrue to the use of the State under this Constitution.

SEC. 4. That all recognizances, bonds, obligations, and all other instruments entered into or executed before the adoption of this Constitution, to the people of the State of Virginia to any State, county, or township, or and public officer or public body, or which may be entered into or executed, under existing laws, "to the people of the State of Virginia," to any such officer or public body, before the complete organization of the department of

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government under this Constitution, shall remain binding and valid; and rights and liabilities upon the same shall continue, and may be prosecuted as provided by law. All crimes and misdemeanors, and penal actions, shall be tried, punished, and prosecuted as though no change had taken place, until otherwise provided by law.

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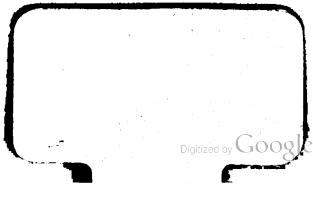
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